

## EXHIBIT 416

1           IN THE UNITED STATES DISTRICT COURT  
2           FOR THE NORTHERN DISTRICT OF OHIO  
3           EASTERN DIVISION

4                           -   -   -

5   IN RE:   NATIONAL           :   MDL NO. 2804  
6   PRESCRIPTION OPIATE :  
7   LITIGATION                :

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8                           :   CASE NO.  
9   THIS DOCUMENT           :   1:17-MD-2804  
10 RELATES TO ALL CASES:  
11                           :   Hon. Dan A.  
12                           :   Polster

13                           -   -   -

14                           Thursday, January 24, 2019

15                           -   -   -

16   HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER  
17   CONFIDENTIALITY REVIEW

18                           -   -   -

19                           Videotaped deposition of  
20   MARIAN WOOD, taken pursuant to notice,  
21   was held at Homewood Suites by Hilton  
22   4170 Philadelphia Road, Bel Air, Maryland  
23   21015, beginning at 9:33 a.m., on the  
24   above date, before Amanda Dee  
25   Maslynsky-Miller, a Certified Realtime  
26   Reporter.

27                           -   -   -

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1 - - -  
2 I N D E X  
3 - - -

## 4 Testimony of: MARIAN WOOD

6 By Mr. Powers  
By Mr. Lavelle

8 - - -  
9 E X H I B I T S  
10 - - -

NO.	DESCRIPTION	PAGE
12	Rite Aid-Wood	
13	Exhibit-1 Rite_Aid_OMDL_0013471	70
14	Rite Aid-Wood	
15	Exhibit-2 Rite_Aid_OMDL_0013855-858	82
16	Rite Aid-Wood	
17	Exhibit-3 Rite_Aid_OMDL_0014804-874	103
18	Rite Aid-Wood	
19	Exhibit-4 Rite_Aid_OMDL_0016253-255	131
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23	Exhibit-6 Rite_Aid_OMDL_0021630-643	165
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<p style="text-align: right;">Page 6</p> <p>1           - - -</p> <p>2           E X H I B I T S</p> <p>3           - - -</p> <p>4 NO.       DESCRIPTION       PAGE</p> <p>5 Rite Aid-Wood</p> <p>6     Exhibit-9   Rite_Aid_OMDL_0013110</p> <p>7                With attachment       195</p> <p>8 Rite Aid-Wood</p> <p>9     Exhibit-10 Rite_Aid_OMDL_0003635-671 198</p> <p>10 Rite Aid-Wood</p> <p>11     Exhibit-11 Rite_Aid_OMDL_0012500-502 212</p> <p>12 Rite Aid-Wood</p> <p>13     Exhibit-12 Rite_Aid_OMDL_0046566-567 217</p> <p>14 Rite Aid-Wood</p> <p>15     Exhibit-13 Rite_Aid_OMDL_0015219     230</p> <p>16 Rite Aid-Wood</p> <p>17     Exhibit-14 Rite_Aid_OMDL_0017238-242 237</p> <p>18 Rite Aid-Wood</p> <p>19     Exhibit-15 Rite_Aid_OMDL_0015077-081 250</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 8</p> <p>1           - - -</p> <p>2           (It is hereby stipulated and</p> <p>3           agreed by and among counsel that</p> <p>4           sealing, filing and certification</p> <p>5           are waived; and that all</p> <p>6           objections, except as to the form</p> <p>7           of the question, will be reserved</p> <p>8           until the time of trial.)</p> <p>9           - - -</p> <p>10          VIDEO TECHNICIAN: We are</p> <p>11          now on the record. My name is Ray</p> <p>12          Moore, I'm a videographer for</p> <p>13          Golkow Litigation Services.</p> <p>14          Today's date is January 24th,</p> <p>15          2019, and the time is 9:33 a.m.</p> <p>16          This video deposition is</p> <p>17          being held in Bel Air, Maryland,</p> <p>18          in the matter, In Re National</p> <p>19          Prescription Opiate Litigation for</p> <p>20          the United States District Court</p> <p>21          for the Northern District of Ohio,</p> <p>22          Eastern Division, MDL Number 2804.</p> <p>23          The deponent is Marian Wood.</p> <p>24          Counsel will be noted on the</p>
<p style="text-align: right;">Page 7</p> <p>1           - - -</p> <p>2           D E P O S I T I O N   S U P P O R T   I N D E X</p> <p>3           - - -</p> <p>4</p> <p>5 Direction to Witness Not to Answer</p> <p>6 Page Line   Page Line   Page Line</p> <p>7 None</p> <p>8</p> <p>9</p> <p>10 Request for Production of Documents</p> <p>11 Page Line   Page Line   Page Line</p> <p>12 None</p> <p>13</p> <p>14</p> <p>15 Stipulations</p> <p>16 Page Line   Page Line   Page Line</p> <p>17 8     1</p> <p>18</p> <p>19</p> <p>20 Question Marked</p> <p>21 Page Line   Page Line   Page Line</p> <p>22 None</p> <p>23</p> <p>24</p>	<p style="text-align: right;">Page 9</p> <p>1           stenographic record. The court</p> <p>2           reporter is Amanda Miller and will</p> <p>3           now swear in the witness.</p> <p>4           - - -</p> <p>5           MARIAN WOOD, after having</p> <p>6           been duly sworn, was examined and</p> <p>7           testified as follows:</p> <p>8           - - -</p> <p>9           E X A M I N A T I O N</p> <p>10          - - -</p> <p>11 BY MR. POWERS:</p> <p>12       Q.   Good morning, Ms. Wood.</p> <p>13       A.   Good morning.</p> <p>14       Q.   My name is Will Powers, and</p> <p>15       I represent the plaintiffs in this</p> <p>16       litigation.</p> <p>17       Can you just state your full</p> <p>18       name and spell it for the record?</p> <p>19       A.   Marian Louise Wood.</p> <p>20       M-A-R-I-A-N, L-O-U-I-S-E, W-O-O-D.</p> <p>21       Q.   Great. And we're here for</p> <p>22       your deposition today.</p> <p>23       Do you understand that?</p> <p>24       A.   Yes.</p>

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1 Q. Have you ever been deposed  
2 before?  
3 A. Yes.  
4 Q. When was that?  
5 A. Somewhere between 2009 and  
6 2014.  
7 Q. And what was that in  
8 connection with?  
9 A. EEOC.  
10 Q. Ever been deposed besides  
11 that EEOC deposition?  
12 A. No.  
13 Q. And what was that EEOC  
14 deposition about?  
15 A. An employee, they wanted to  
16 limit where he could go because he had a  
17 disability and they were concerned with  
18 his safety, and they were saying that we  
19 couldn't limit where he could go.  
20 Q. Were you a witness in that  
21 proceeding?  
22 A. Yes.  
23 Q. You were not a party in that  
24 proceeding? You weren't being sued or

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1 the one doing the suing?  
2 A. No.  
3 Q. You have been deposed  
4 before, but I want to go over some ground  
5 rules just so we're all on the same page  
6 before we get started.  
7 Because the court reporter  
8 is here writing everything down that is  
9 being said, I want to make sure that only  
10 one of us is talking at a time. So even  
11 though you may anticipate a question or  
12 think you know where I'm going with  
13 something, I just ask you to allow me to  
14 finish my question before you start  
15 speaking, and I'll do likewise for you.  
16 Is that okay?  
17 A. Yes.  
18 Q. And also for the same reason  
19 that the court reporter needs to take a  
20 written record of this deposition here  
21 today, I need verbal answers from you so  
22 that she can get them down on the  
23 transcript; so no uh-uhs, uh-huhs, nods  
24 of the head or shakes of the head,

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1 something like that.  
2 Is that okay?  
3 A. Yes.  
4 Q. And if there's any reason  
5 you don't understand a question or it  
6 requires some sort of clarification,  
7 explanation of the words I'm using,  
8 anything like that, just let me know and  
9 I can clarify the question.  
10 Is that okay?  
11 A. Yes.  
12 Q. So if you answer my  
13 questions, we'll agree that you  
14 understand the question that has been  
15 asked, okay?  
16 A. Yes.  
17 Q. Are you currently suffering  
18 from any medical disease or illness that  
19 in any way interferes with your ability  
20 to answer truthfully and completely my  
21 questions here today?  
22 A. I don't believe so.  
23 Q. Are you taking any  
24 medication or drugs that may in any way

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1 interfere with the testimony you're going  
2 to give here today?  
3 A. No.  
4 Q. And you were just sworn in  
5 by the court reporter.  
6 Do you understand that the  
7 court reporter has put you under oath  
8 here today just as you would be in a  
9 courtroom at trial?  
10 A. Yes.  
11 Q. So because you're under  
12 oath, if you lie or provide intentionally  
13 misleading answers, you may be subject to  
14 criminal or civil penalties.  
15 Do you understand that?  
16 A. Yes.  
17 Q. And we can take breaks when  
18 you need them. I just ask, if there's a  
19 question pending, that you answer the  
20 question before we take a break.  
21 Is that okay?  
22 A. Yes.  
23 MR. LAVELLE: The witness  
24 reserves the right to consult with

<p style="text-align: right;">Page 14</p> <p>1 counsel on issues of privilege.  2 BY MR. POWERS:  3 Q. And as your counsel just  4 did, your counsel may object from time to  5 time to my questions, but I'm still  6 entitled to an answer to my question  7 unless he specifically instructs you not  8 to answer.  9 Is that okay?  10 A. Yes.  11 Q. Okay, Ms. Wood, I want to  12 start with your educational background.  13 Did you complete high  14 school?  15 A. Yes.  16 Q. Where was that?  17 A. Northern High School.  18 Q. And is that here in  19 Maryland?  20 A. It's in Baltimore.  21 Q. And what year was that?  22 A. '73 -- I went through and  23 finished 12th grade, but I didn't get my  24 diploma. They -- I had to finish one</p>	<p style="text-align: right;">Page 16</p> <p>1 worked at Joseph's Country Inn  2 Restaurant. I worked at Caldor, Best  3 Products, Johnny Unitas Golden Arm  4 Restaurant. I think that's it.  5 Q. Where did you work -- let me  6 ask the question differently.  7 When did you first start  8 working at Rite Aid?  9 A. 1998.  10 Q. Did you ever work at  11 anywhere dealing with controlled  12 substances or pharmacy before starting  13 working at Rite Aid?  14 A. No.  15 MR. LAVELLE: Object to  16 form.  17 BY MR. POWERS:  18 Q. What did you do immediately  19 preceding starting to work at Rite Aid?  20 A. Can you repeat that?  21 Q. Sure.  22 When did you -- so you first  23 started working at Rite Aid in 1998.  24 What was the job you had immediately</p>
<p style="text-align: right;">Page 15</p> <p>1 more course. So --  2 Q. Did you ever finish that  3 course?  4 A. Yes.  5 Q. When did you --  6 A. I got my diploma.  7 Q. What was your diploma date?  8 A. '73, I believe.  9 Q. Any education beyond high  10 school?  11 A. No.  12 Q. Any certifications of any  13 kind beyond high school?  14 A. Where I worked before, I  15 would take classes on different things,  16 interviewing techniques, security.  17 Q. And you say where you worked  18 before, do you mean before you were  19 working at Rite Aid?  20 A. In different places that I  21 worked.  22 Q. Where did you work before  23 Rite Aid?  24 A. Let's see, before Rite Aid I</p>	<p style="text-align: right;">Page 17</p> <p>1 preceding starting to work at Rite Aid?  2 A. Joseph's Country Inn.  3 Q. And when you started working  4 at Rite Aid in 1998, what was your  5 position?  6 A. I started as an inventory  7 control partner.  8 Q. And where was your job  9 located, like, in Maryland or somewhere  10 else?  11 MR. LAVELLE: Object to  12 form.  13 THE WITNESS: Perryman.  14 BY MR. POWERS:  15 Q. And when you say "Perryman,"  16 you mean the Perryman distribution  17 center?  18 A. Yes.  19 Q. Have you worked at the  20 Perryman distribution center from 1998  21 continuously until now?  22 A. I'm not employed there.  23 Q. When did you stop being  24 employed at Rite Aid?</p>

<p style="text-align: right;">Page 18</p> <p>1 A. October of 2014.</p> <p>2 Q. Between 1998 and 2014, when</p> <p>3 you were employed at Rite Aid, did you</p> <p>4 work only at the Perryman distribution</p> <p>5 center?</p> <p>6 A. As far as I can remember.</p> <p>7 Q. So when we talk about your</p> <p>8 employment at Rite Aid, we can agree that</p> <p>9 we're just talking about between '98 and</p> <p>10 2014.</p> <p>11 Is that okay?</p> <p>12 A. Yes.</p> <p>13 Q. So you started in 1998 at</p> <p>14 Rite Aid as an inventory control partner.</p> <p>15 What were your job duties as</p> <p>16 an inventory control partner?</p> <p>17 A. We would start out by -- we</p> <p>18 were just starting out, so we would --</p> <p>19 they would run picks, and then we would</p> <p>20 audit the totes.</p> <p>21 Q. When you say "we were just</p> <p>22 starting out," what do you mean by that?</p> <p>23 A. It was a startup. We were</p> <p>24 opening the building.</p>	<p style="text-align: right;">Page 20</p> <p>1 You said you went to go work</p> <p>2 in regional cigarettes.</p> <p>3 What do you mean by</p> <p>4 "regional cigarettes"? Is that the</p> <p>5 department? Is that the unit? What is</p> <p>6 it -- how does that fit into the</p> <p>7 organizational structure?</p> <p>8 A. Regional --</p> <p>9 MR. LAVELLE: Object to</p> <p>10 form.</p> <p>11 THE WITNESS: Okay. It's a</p> <p>12 department within Perryman.</p> <p>13 BY MR. POWERS:</p> <p>14 Q. And when you were an</p> <p>15 inventory control partner before that,</p> <p>16 was that in a separate department?</p> <p>17 A. Yes.</p> <p>18 Q. What department was that in?</p> <p>19 A. Inventory control.</p> <p>20 Q. When you were in the</p> <p>21 regional cigarettes department, what were</p> <p>22 your job responsibilities?</p> <p>23 A. Supervising the personnel,</p> <p>24 making a schedule.</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. So the Perryman facility</p> <p>2 opened around 1998, then?</p> <p>3 A. Yes.</p> <p>4 Q. How long were you an</p> <p>5 inventory control partner for?</p> <p>6 A. I can't be exact.</p> <p>7 Q. Approximately.</p> <p>8 A. I don't remember.</p> <p>9 Q. What was your next position</p> <p>10 after an inventory control partner?</p> <p>11 A. I believe I went to regional</p> <p>12 cigarettes.</p> <p>13 Q. What was your job title at</p> <p>14 that point?</p> <p>15 A. I don't remember.</p> <p>16 Q. And when you say "regional</p> <p>17 cigarettes," is that the department name,</p> <p>18 or something else?</p> <p>19 MR. LAVELLE: Object to</p> <p>20 form.</p> <p>21 THE WITNESS: Can you repeat</p> <p>22 that?</p> <p>23 BY MR. POWERS:</p> <p>24 Q. Sure.</p>	<p style="text-align: right;">Page 21</p> <p>1 Q. What were the personnel you</p> <p>2 were supervising doing?</p> <p>3 A. They were picking and</p> <p>4 stamping and packing cigarettes.</p> <p>5 Q. Anything else besides</p> <p>6 supervising them and making a schedule</p> <p>7 that you did while you worked in the</p> <p>8 regional cigarettes department?</p> <p>9 A. We would inventory.</p> <p>10 Q. Anything else?</p> <p>11 A. I don't remember.</p> <p>12 Q. How long did you work in the</p> <p>13 regional cigarettes department?</p> <p>14 A. I don't remember.</p> <p>15 Q. What did you do after the</p> <p>16 regional cigarettes department?</p> <p>17 A. I went into Rx.</p> <p>18 Q. And when you say "Rx," is</p> <p>19 that shorthand for pharmacy department?</p> <p>20 A. Yes.</p> <p>21 Q. And is that a separate</p> <p>22 department from the inventory control and</p> <p>23 regional cigarettes departments?</p> <p>24 A. Yes.</p>



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1 Q. Do you remember when you  
2 started in the Rx department?  
3 A. No.  
4 Q. Even if you don't remember  
5 exactly, do you have an approximation  
6 about when you started in the Rx  
7 department?  
8 A. It could have been around  
9 2000.  
10 Q. But it's safe to say that  
11 you've been working in the Rx department  
12 long -- never mind. Scratch that.  
13 And did you stay in the Rx  
14 department from around 2000 until when  
15 you left Rite Aid in 2014?  
16 A. No.  
17 Q. Where did you move after the  
18 Rx department?  
19 A. For a time in there, I moved  
20 over to what was called the replenishment  
21 department.  
22 Q. And when did you do that?  
23 A. I don't remember.  
24 Q. Approximately when did you

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1 move over to the replenishment  
2 department?  
3 A. 2007 or '08.  
4 Q. And do you know how long you  
5 stayed in the replenishment department  
6 for?  
7 A. Not really.  
8 Q. Can you approximate how long  
9 you stayed in the replenishment  
10 department?  
11 A. If I guess, it might have  
12 been about a year.  
13 Q. So you would have been in  
14 the replenishment department from about  
15 2007 or 2008, and then you left around  
16 2008 to 2009, something like that?  
17 A. I don't remember.  
18 Q. And after the replenishment  
19 department, where did you go next?  
20 A. I went back into Rx, the  
21 pharmacy department.  
22 Q. And when you went back to  
23 the Rx department after being in the  
24 replenishment department, is that where

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1 you stayed until 2014?  
2 A. Yes.  
3 Q. Going back to your first  
4 time in the pharmacy department  
5 between -- around 2000 to 2007, what was  
6 your job title?  
7 A. When I first went in, I went  
8 in as assistant manager in the controlled  
9 drug cage.  
10 Q. Did you have any other  
11 titles during that 2000 to 2007 time  
12 frame?  
13 A. Can you repeat that?  
14 Q. Sure.  
15 When you were in the  
16 pharmacy department the first time,  
17 between approximately 2000 to 2007, did  
18 you have any other titles besides  
19 assistant manager of the controlled drug  
20 cage?  
21 A. Yes.  
22 Q. What were those titles?  
23 A. DEA coordinator.  
24 Q. Anything else?

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1 A. Department manager.  
2 Q. Anything else?  
3 A. When I stepped down from  
4 being department manager, I was -- I went  
5 down to the lead level, supervisor level,  
6 which is the DEA coordinator level.  
7 Q. Just so I have the sequence  
8 correct here.  
9 So you started in the  
10 pharmacy department as an assistant  
11 manager of the controlled drug cage.  
12 Then you moved to the DEA coordinator  
13 position. Then department manager. And  
14 then you stepped back down to the DEA  
15 coordinator.  
16 Do I have that sequence  
17 correct?  
18 A. No.  
19 Q. Okay. Can you correct me?  
20 A. From department manager, I  
21 stepped down into a lead-type position in  
22 the cage until I went into replenishment.  
23 Q. When you say "lead type," I  
24 thought you said that that's sort of like



<p style="text-align: right;">Page 26</p> <p>1 a DEA coordinator.</p> <p>2 A. It's a lead, it would be the</p> <p>3 level, it's not a -- the DEA coordinator</p> <p>4 didn't really have a level. But when I</p> <p>5 stepped down, I stepped down to the -- to</p> <p>6 an hourly, that's probably more</p> <p>7 appropriate.</p> <p>8 Q. So the department manager</p> <p>9 would be above the DEA coordinator</p> <p>10 position?</p> <p>11 A. Yes.</p> <p>12 Q. And the DEA coordinator</p> <p>13 position would be qualified as a lead</p> <p>14 position?</p> <p>15 A. The best that I can</p> <p>16 remember.</p> <p>17 Q. And those lead level</p> <p>18 positions, those are all hourly</p> <p>19 positions; is that right?</p> <p>20 A. I want to correct something.</p> <p>21 Q. Sure.</p> <p>22 A. The coordinator, when I was</p> <p>23 there, it was assistant manager level,</p> <p>24 because I was assistant manager.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. So it was your decision to</p> <p>2 move from the pharmacy department to the</p> <p>3 replenishment department?</p> <p>4 A. Yes.</p> <p>5 Q. What did you do in the</p> <p>6 replenishment department?</p> <p>7 A. I did clerical work.</p> <p>8 Q. And what was your title</p> <p>9 while you were in the replenishment</p> <p>10 department?</p> <p>11 A. I don't remember.</p> <p>12 Q. Did you have multiple titles</p> <p>13 while you were in the replenishment</p> <p>14 department?</p> <p>15 A. I don't remember.</p> <p>16 Q. But you were only there, in</p> <p>17 the replenishment department, for about a</p> <p>18 year-ish, you said?</p> <p>19 A. About.</p> <p>20 Q. How come you left the</p> <p>21 replenishment department and went back to</p> <p>22 the pharmacy department?</p> <p>23 A. The opening came back up for</p> <p>24 a DEA coordinator.</p>
<p style="text-align: right;">Page 27</p> <p>1 Once I left, it was taken by</p> <p>2 a lead level, which is hourly.</p> <p>3 Q. Is assistant manager level</p> <p>4 higher than a lead --</p> <p>5 A. Yes.</p> <p>6 Q. -- level?</p> <p>7 MR. LAVELLE: Wait until the</p> <p>8 question is finished before you</p> <p>9 answer the question.</p> <p>10 THE WITNESS: Sorry.</p> <p>11 MR. LAVELLE: No problem.</p> <p>12 MR. POWERS: It's okay.</p> <p>13 Just so we're clear. I know you</p> <p>14 can anticipate, like a normal</p> <p>15 conversation, you would -- that</p> <p>16 would be fine. But just here, let</p> <p>17 me finish my question completely,</p> <p>18 and then you can answer.</p> <p>19 BY MR. POWERS:</p> <p>20 Q. How come you left the</p> <p>21 pharmacy department to go to the</p> <p>22 replenishment department?</p> <p>23 A. An opening came up, and I</p> <p>24 wanted to take it.</p>	<p style="text-align: right;">Page 29</p> <p>1 Q. So when you went back to the</p> <p>2 pharmacy department after being in the</p> <p>3 replenishment department, you came back</p> <p>4 as a DEA coordinator; is that right?</p> <p>5 A. I believe so.</p> <p>6 Q. Did you have any other</p> <p>7 titles between when you came back to the</p> <p>8 pharmacy department and when you left</p> <p>9 Rite Aid in 2014, besides DEA</p> <p>10 coordinator?</p> <p>11 A. Can you repeat that?</p> <p>12 Q. Sure.</p> <p>13 When you were in the</p> <p>14 pharmacy department after you were in the</p> <p>15 replenishment department, did you have</p> <p>16 any other titles besides DEA coordinator?</p> <p>17 A. Not that I recall.</p> <p>18 Q. So you were a DEA</p> <p>19 coordinator the entire time that you were</p> <p>20 in the pharmacy department, after being</p> <p>21 in the replenishment department?</p> <p>22 A. Yes.</p> <p>23 Q. What were your job</p> <p>24 responsibilities as a DEA coordinator</p>

<p style="text-align: right;">Page 30</p> <p>1 during that time frame?</p> <p>2 A. To oversee people, some</p> <p>3 training, recordkeeping.</p> <p>4 Q. So you said "oversee people,</p> <p>5 some training, and recordkeeping."</p> <p>6 Anything else?</p> <p>7 A. Inventories.</p> <p>8 Q. Anything else?</p> <p>9 A. Communications. Helping out</p> <p>10 in the cage when needed.</p> <p>11 That's all I can remember</p> <p>12 right now.</p> <p>13 Q. You said you had the</p> <p>14 position of DEA coordinator.</p> <p>15 Are there more than one DEA</p> <p>16 coordinator?</p> <p>17 MR. LAVELLE: Object to</p> <p>18 form.</p> <p>19 THE WITNESS: I don't</p> <p>20 understand.</p> <p>21 BY MR. POWERS:</p> <p>22 Q. Are there multiple DEA</p> <p>23 coordinators at the Rite Aid facility in</p> <p>24 Perryman?</p>	<p style="text-align: right;">Page 32</p> <p>1 coordinators?</p> <p>2 A. It was Debra Chase.</p> <p>3 Q. Anyone else?</p> <p>4 A. I don't think so.</p> <p>5 Q. How about from when you were</p> <p>6 in the pharmacy department before you</p> <p>7 went to the replenishment department,</p> <p>8 were there other DEA coordinators at that</p> <p>9 time period?</p> <p>10 A. Not that I recall.</p> <p>11 Q. How about when you became</p> <p>12 department manager, who was the DEA</p> <p>13 coordinator at that point?</p> <p>14 A. That was Debra Chase.</p> <p>15 Q. So besides yourself and</p> <p>16 Debra Chase, was there anyone else that</p> <p>17 ever held the position of DEA coordinator</p> <p>18 at the Perryman facility, to the best of</p> <p>19 your knowledge?</p> <p>20 A. That's all I can remember.</p> <p>21 Q. Who was your department</p> <p>22 manager when you were in the pharmacy</p> <p>23 department?</p> <p>24 A. One of them was Clint. I</p>
<p style="text-align: right;">Page 31</p> <p>1 A. We had a security version of</p> <p>2 DEA coordinator who would handle all the</p> <p>3 cameras and security, audits.</p> <p>4 Q. What was the title of that</p> <p>5 position?</p> <p>6 A. I believe it was security</p> <p>7 DEA coordinator.</p> <p>8 Q. Who held that position?</p> <p>9 A. The only one that I can</p> <p>10 recall is Larry Ringgold.</p> <p>11 Q. My question, though, is,</p> <p>12 besides yourself, were there any other</p> <p>13 DEA coordinators at Perryman?</p> <p>14 MR. LAVELLE: Object to the</p> <p>15 form. Objection. Asked and</p> <p>16 answered.</p> <p>17 THE WITNESS: I'm confused.</p> <p>18 BY MR. POWERS:</p> <p>19 Q. Sure.</p> <p>20 Did anyone else have the</p> <p>21 same title as you? Were there multiple</p> <p>22 DEA coordinators?</p> <p>23 A. There was others, yes.</p> <p>24 Q. Who were those DEA</p>	<p style="text-align: right;">Page 33</p> <p>1 can't remember his last name.</p> <p>2 Q. Anybody else?</p> <p>3 A. I believe so, I just can't</p> <p>4 remember right now.</p> <p>5 Q. And am I correct that as a</p> <p>6 DEA coordinator, you would have been</p> <p>7 reporting to the department manager?</p> <p>8 A. Yes, at times.</p> <p>9 Q. Who else would you report</p> <p>10 to?</p> <p>11 A. The GM, general manager.</p> <p>12 Q. Who was the GM while you</p> <p>13 were a DEA coordinator?</p> <p>14 A. There were several. Gary</p> <p>15 Kanopka.</p> <p>16 Q. I've got to ask you your</p> <p>17 best attempt at spelling his last name.</p> <p>18 A. K-O-N-O-P-K-A.</p> <p>19 Q. Besides Gary Konopka, who</p> <p>20 else?</p> <p>21 A. Oh, my gosh. I can remember</p> <p>22 a couple, but I can't say positive it was</p> <p>23 when I was in pharmacy, because we went</p> <p>24 through several.</p>

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1 Q. Who were the other ones you  
2 remember?  
3 A. Steve Lawrence.  
4 Q. Anyone else?  
5 A. Tim Peifley.  
6 Q. And do you know how to spell  
7 Peifley?  
8 A. P-E-I-F-L-E-Y, I think.  
9 Q. Any other GMs?  
10 A. I believe there was, I just  
11 don't remember.  
12 Q. So besides the department  
13 managers and the general managers, was  
14 there anyone else you would have reported  
15 to as the DEA coordinator?  
16 A. The ops manager.  
17 Q. Who were the ops managers  
18 you remember?  
19 A. There was Keith Frost. I  
20 know I had Robyn Stasney at one time, I  
21 just don't remember when.  
22 Q. I'm sorry, what's the  
23 spelling of Robyn's last name?  
24 A. S-T-A -- S-T-A-S-N-E-Y --

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1 N-Y. I'm sorry, I'm not sure.  
2 Q. That's fine. It's not a  
3 spelling test.  
4 Anyone else who was an ops  
5 manager besides Frost and Stasney?  
6 A. I don't remember.  
7 Q. Besides the department  
8 managers, the GMs and the ops managers,  
9 anyone else you would have reported to as  
10 a DEA coordinator?  
11 A. Kevin Mitchell.  
12 Q. What was Kevin Mitchell's  
13 position?  
14 A. He was the regulatory  
15 compliance manager.  
16 Q. Anyone else who was a  
17 regulatory compliance manager?  
18 A. There was -- I'm not sure of  
19 the titles, but I believe there was a  
20 Chris Belli.  
21 That's all I remember right  
22 now.  
23 Q. Besides everyone we've  
24 talked about so far, anyone else that you

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1 reported to as a DEA compliance manager?  
2 A. There might have been. I  
3 just don't remember right off.  
4 Q. Even if you don't remember  
5 the name, how about the general position  
6 name that you would have reported to?  
7 A. I don't remember.  
8 Q. Did you report to the  
9 Government Affairs Office at all?  
10 A. At times, yes.  
11 Q. Were they your -- would you  
12 consider them your supervisors?  
13 A. I'm confused.  
14 Q. Okay. I'm just trying to  
15 figure out the chain of command.  
16 So did you report to the  
17 Government Affairs Office or just deal  
18 with the Government Affairs Office? Do  
19 you understand the distinction?  
20 A. I --  
21 MR. LAVELLE: Object to  
22 form.  
23 THE WITNESS: Repeat it one  
24 more time.

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1 BY MR. POWERS:  
2 Q. Sure.  
3 You're familiar with the  
4 Government Affairs Office, right?  
5 A. Yes.  
6 Q. Would you consider them your  
7 supervisors?  
8 A. I don't think I did, no.  
9 Q. But you did deal with people  
10 from the Government Affairs Office; is  
11 that right?  
12 A. Yes. Yes.  
13 Q. Who did you deal with from  
14 the Government Affairs Office?  
15 A. The only one I can remember  
16 right now is Janet Hart.  
17 Q. Okay. I want to go back to  
18 your job duties as a DEA coordinator.  
19 How were you trained for  
20 your job as a DEA coordinator?  
21 A. Kevin Mitchell and I would  
22 read through the CFR, the DEA regulatory  
23 compliance. That's all I remember right  
24 now.

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1 Q. Did anyone else train you  
2 besides Kevin Mitchell?  
3 A. We would have an outside  
4 agency come in and give us guidance.  
5 Q. Who was that outside agency?  
6 A. Buzzeo.  
7 Q. I'll talk about that in a  
8 second.  
9 Going back to your training  
10 with Kevin Mitchell, you said you read  
11 the CFR and you looked at DEA regulatory  
12 compliance, right?  
13 A. Yes.  
14 Q. Anything else?  
15 MR. LAVELLE: Objection.  
16 Asked and answered.  
17 THE WITNESS: I don't  
18 remember.  
19 BY MR. POWERS:  
20 Q. Were there any formal Rite  
21 Aid training materials that you received  
22 to train you as a DEA coordinator?  
23 A. We had -- we had a manual.  
24 We had the regulatory compliance.

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1 I don't remember.  
2 Q. You mentioned a manual.  
3 What was -- do you remember the name of  
4 that manual? Did it have a name?  
5 MR. LAVELLE: Object to  
6 form.  
7 THE WITNESS: Did it have a  
8 name? I don't remember.  
9 BY MR. POWERS:  
10 Q. Was that a hardcopy manual?  
11 A. Yes.  
12 Q. You mentioned an outside  
13 agency that came in and trained you.  
14 When did that occur?  
15 A. They didn't train me, they  
16 were a training tool.  
17 Q. Okay. Can you explain the  
18 distinction there?  
19 A. They would -- they came in  
20 and audited us and would give us guidance  
21 in any area that we might need it.  
22 Q. How often did Buzzeo come in  
23 and audit you?  
24 A. I'm not sure.

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1 Q. More or less than ten times?  
2 A. I believe it was less than  
3 ten times.  
4 Q. More or less than five  
5 times?  
6 A. I believe it was less than  
7 five times.  
8 Q. And they -- when Buzzeo came  
9 and, you said, audited you, was that  
10 while you were a part of the pharmacy  
11 department?  
12 A. Yes.  
13 Q. Was it part -- was it when  
14 you were part of the pharmacy department  
15 after being in the replenishment  
16 department?  
17 A. No.  
18 Q. It was before you went to  
19 the replenishment department when Buzzeo  
20 came and audited you?  
21 A. Yes.  
22 Q. Did Buzzeo ever come after  
23 you left the replenishment department and  
24 went back to the pharmacy department?

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1 MR. LAVELLE: Object to  
2 form.  
3 THE WITNESS: Can you repeat  
4 that?  
5 BY MR. POWERS:  
6 Q. Sure. Maybe it will be  
7 helpful to clarify.  
8 You were in the pharmacy  
9 department in two different time periods,  
10 right?  
11 A. Yes.  
12 Q. So you were in the pharmacy  
13 department before you went to the  
14 replenishment department, and then you  
15 were in the pharmacy department after you  
16 left the replenishment department, right?  
17 A. Yes.  
18 Q. So can we agree that we can  
19 refer to the time period when you were in  
20 the pharmacy department before you went  
21 to the replenishment department as your  
22 first time in the pharmacy department?  
23 Is that okay?  
24 A. Yes.

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1 Q. And then we can refer to the  
2 time you were in the pharmacy department  
3 after you left the replenishment  
4 department as your second time in the  
5 pharmacy department.  
6 Is that okay?  
7 A. Yes.  
8 Q. Okay. So just so we're  
9 clear, when Buzzeo came and audited you,  
10 that was during your first time in the  
11 pharmacy department; is that right?  
12 A. Yes.  
13 Q. Did they ever -- did Buzzeo  
14 ever come and audit the pharmacy  
15 department during your second time in the  
16 pharmacy department?  
17 A. I don't recall.  
18 Q. You don't recall them ever  
19 coming during that second time in the  
20 pharmacy department?  
21 MR. LAVELLE: Object to  
22 form. Objection. Asked and  
23 answered.  
24 THE WITNESS: I don't

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1 recall.  
2 BY MR. POWERS:  
3 Q. And when Buzzeo came, was  
4 that physically that Buzzeo came to the  
5 Perryman facility?  
6 A. Yes.  
7 Q. Do you know who came, as  
8 part of the Buzzeo team, to the Perryman  
9 facility?  
10 A. The first time that I recall  
11 it was Ron Buzzeo.  
12 Q. Anyone else besides Ron  
13 Buzzeo?  
14 A. I don't remember.  
15 Q. What kind of things did Ron  
16 Buzzeo do with you during that audit?  
17 A. He did an audit of what a  
18 DEA audit would be.  
19 Q. Was it sort of a practice  
20 DEA audit?  
21 MR. LAVELLE: Object to  
22 form.  
23 THE WITNESS: Repeat that.  
24 BY MR. POWERS:

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1 Q. Sure.  
2 When Ron Buzzeo did his  
3 audit, was it to prepare Rite Aid for an  
4 actual DEA audit?  
5 A. Okay, I'm confused.  
6 When he came, he came to  
7 audit us and help us see if we needed to  
8 work on anything.  
9 Q. And was the purpose of the  
10 audit to prepare the Perryman facility  
11 for a DEA audit?  
12 A. No, it was to make sure we  
13 were prepared.  
14 Q. Prepared for a DEA audit?  
15 A. Yes.  
16 Q. Okay. And when Ron Buzzeo  
17 came and did this audit, did he give you  
18 any written materials?  
19 A. I don't remember.  
20 Q. Do you know if he prepared  
21 any written materials generally?  
22 A. I don't remember.  
23 Q. Do you know if anyone at  
24 Rite Aid got any written materials from

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1 Ron Buzzeo as a result of that audit?  
2 A. I think Kevin might have --  
3 might have sent out a Sysm or something.  
4 That's the only thing I can think of.  
5 Q. I'm sorry, you said might  
6 have sent out a Sysm.  
7 What is that?  
8 A. An e-mail type -- it's --  
9 SYSMs are kind of like e-mails for the  
10 system.  
11 Q. And is that S-Y-S-M?  
12 A. Yes.  
13 Q. And was that a separate  
14 system from your e-mail system at Rite  
15 Aid?  
16 A. Yes.  
17 Q. How is it different?  
18 A. I don't know.  
19 Q. Would you use the Sysm for  
20 different things than you did use e-mail  
21 for?  
22 A. I believe we used the Sysm  
23 first, and then we went -- I don't  
24 remember.

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1 Q. Did the Sysm and e-mail  
2 exist at the same time period?  
3 A. I don't remember.  
4 Q. Could you e-mail -- strike  
5 that.  
6 Could you use the Sysm to  
7 contact people outside of Rite Aid?  
8 A. I'm confused.  
9 Q. Sure.  
10 A. No. You could only use it  
11 to contact people within the system.  
12 Q. So Sysm was a Rite Aid  
13 internal system?  
14 A. I believe, yes.  
15 Q. Did you have a different  
16 e-mail address from, for lack of a better  
17 term, a Sysm address?  
18 MR. LAVELLE: Object to  
19 form.  
20 THE WITNESS: I don't  
21 remember.  
22 BY MR. POWERS:  
23 Q. Do you remember when Rite  
24 Aid stopped using Sysm?

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1 A. No.  
2 Q. Do you remember if it was  
3 before your second time in the pharmacy  
4 department?  
5 A. I don't remember.  
6 Q. Was Rite Aid still using  
7 Sysm when you left in 2014?  
8 A. I don't remember.  
9 Q. And you stated that the  
10 Buzzeo company may have come multiple  
11 times to audit the Perryman facility.  
12 Do you know, during any one  
13 of those times, did Buzzeo give any  
14 written materials to anyone at Rite Aid?  
15 A. I don't remember.  
16 Q. Did you personally ever get  
17 any written materials as a result of one  
18 of these Buzzeo audits?  
19 A. I don't remember.  
20 Q. Who would have gotten  
21 written materials from a Buzzeo audit?  
22 MR. LAVELLE: Object to  
23 form.  
24 THE WITNESS: I don't --

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1 BY MR. POWERS:  
2 Q. Do you remember if there was  
3 any meetings or phone calls to discuss  
4 the results of the Buzzeo audits?  
5 A. I know there was discussion.  
6 I just can't tell you when, who.  
7 Q. Who would have been involved  
8 in those discussions?  
9 A. Well, I know Kevin Mitchell  
10 would.  
11 Q. Anyone else you can think  
12 of?  
13 A. I'm not sure.  
14 Q. And we've been talking about  
15 the Buzzeo company doing these audits. I  
16 think you first mentioned them in the  
17 context of training.  
18 Are you saying that the  
19 audits are the same thing as the  
20 training?  
21 A. When he first came in, it  
22 was a guide, used as a guide to me; it  
23 was a type of training to see, you know,  
24 what to expect, what we need to do.

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1 So, yes, I guess you could  
2 consider it a type of training. But it  
3 wasn't -- it wasn't, like, directly  
4 teaching me. It was just more like  
5 guidance.  
6 Q. Besides the audits, was  
7 there any separate training that Buzzeo  
8 did during your time at Rite Aid?  
9 A. We went to Buzzeo  
10 conferences. I could not tell you when.  
11 I know I went to at least two.  
12 Q. You said "we went to Buzzeo  
13 conferences."  
14 Who are you referring to  
15 when you said "we"?  
16 A. Other people from Rite Aid,  
17 Kevin Mitchell, being one. I can't  
18 remember, but I believe Barbara from  
19 California went, the DEA coordinator in  
20 California.  
21 That's all I can remember.  
22 Q. Do you remember Barbara's  
23 last name?  
24 A. Barbara -- Barbara -- no.



<p style="text-align: right;">Page 50</p> <p>1 Q. If I said Lusaro, does that 2 sound -- 3 A. Yes. 4 Q. -- familiar? 5 MR. LAVELLE: Just wait 6 until the -- the question is 7 finished before you answer. 8 THE WITNESS: Sorry. 9 MR. LAVELLE: That's okay. 10 We just need to make sure the 11 record is clear. 12 BY MR. POWERS: 13 Q. So I'll ask that again. 14 The Barbara that went with 15 you to the Buzzeo conferences, was that 16 Barbara Lusaro? 17 A. I remember her being at at 18 least one. 19 Q. But her name was Barbara 20 Lusaro? 21 A. I believe. 22 Q. Do you know if you went to 23 those Buzzeo conferences during your 24 first time in the pharmacy department?</p>	<p style="text-align: right;">Page 52</p> <p>1 that Buzzeo did with you while at the -- 2 you were at Rite Aid? 3 A. I believe they came in at a 4 time to help format specific procedures 5 for VAWD verification. 6 Q. Do you remember when that 7 was? 8 A. No. 9 Q. Was that during your first 10 time in the Rx department or your second 11 time in the Rx department? 12 A. I don't remember. 13 Q. And when you say format 14 procedures for log verification, can you 15 explain what you mean by that? 16 A. VAWD is a verified 17 accredited wholesale certification, and 18 they wanted our procedures in a specific 19 format. And so we thought we would bring 20 Ron in and -- 21 Q. I'm sorry, I think I 22 misheard you before. 23 You said "VAWD" 24 verification, not "log" verification; is</p>
<p style="text-align: right;">Page 51</p> <p>1 A. I believe I went to at least 2 one of them, yes. 3 Q. Did you go to a Buzzeo 4 conference during your second time in the 5 pharmacy department? 6 A. I believe I went to one. 7 Q. Do you know where that 8 Buzzeo conference was? 9 A. The first one was in Crystal 10 City. The second one was in -- it was 11 the National Harbor. 12 Q. And that's National Harbor 13 in Maryland, outside of DC? 14 A. Yes. 15 Q. Did any other DEA 16 coordinators go to those Buzzeo 17 conferences? 18 A. I remember Barbara being at 19 one. That's all I remember. 20 Q. How about Kimberly Birklin, 21 did she ever go to a Buzzeo conference? 22 A. I can't remember. 23 Q. Besides the Buzzeo audits 24 and the Buzzeo conferences, anything else</p>	<p style="text-align: right;">Page 53</p> <p>1 that correct? 2 A. VAWD. 3 Q. V-A-W-D? 4 A. Yes. 5 Q. So the Buzzeo firm helped 6 you format procedures for VAWD 7 verification? 8 A. Yes. 9 Q. And were written materials 10 generated as part of that interaction 11 with Buzzeo? 12 A. Yes. I believe they came up 13 with -- using our procedures, came up 14 with the formatted -- a formatted 15 version. 16 Q. And when you say "formatted 17 version," what do you mean by that? 18 A. The way it's -- the way it's 19 put into the book, the way it's 20 paragraphed and headings and numbers, and 21 the way it's formatted. 22 Q. Is the way that the written 23 document is formatted important for the 24 VAWD certification?</p>



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1 A. I believe it was important  
2 to VAWD.  
3 Q. Did Buzzeo give you  
4 substantive feedback on what the actual  
5 document should say?  
6 A. I don't recall that.  
7 Q. So was Buzzeo there just to  
8 help with the technical formatting of the  
9 actual document?  
10 MR. LAVELLE: Object to  
11 form.  
12 THE WITNESS: Can you repeat  
13 that?  
14 BY MR. POWERS:  
15 Q. Sure.  
16 Was Buzzeo's role in helping  
17 for the VAWD certification just to help  
18 you format and put numbers and paragraphs  
19 on the document?  
20 A. Okay, I'm confused.  
21 Can you repeat that one more  
22 time?  
23 Q. Sure.  
24 So when Buzzeo came in to

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1 help you with the VAWD verification -- is  
2 it verification or certification?  
3 A. It was certification.  
4 But it wasn't Buzzeo, it was  
5 one of his employees.  
6 Q. So when I say "Buzzeo" here,  
7 I just mean the Buzzeo company.  
8 Is that what it was called  
9 at that point?  
10 A. Yes.  
11 Q. So someone from the Buzzeo  
12 company came in and helped with the VAWD  
13 certification; is that right?  
14 A. They helped format the  
15 manual.  
16 Q. And what manual was that?  
17 A. The VAWD manual.  
18 Q. And is the VAWD manual a  
19 Rite Aid document?  
20 A. Yes.  
21 Q. And when you say they  
22 "helped format the VAWD manual," what do  
23 you mean by that?  
24 A. They helped put it in a

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1 format that VAWD wanted to see it in.  
2 Q. And when you say "put it in  
3 a format that VAWD wanted to see it in,"  
4 are you talking about just things like  
5 putting in page numbers and numbering  
6 paragraphs and maybe changing fonts, or  
7 are you talking about something more  
8 substantive?  
9 MR. LAVELLE: Object to  
10 form.  
11 THE WITNESS: From what I  
12 can remember, it was they just --  
13 they wanted a specific form, and  
14 that's what I can remember.  
15 BY MR. POWERS:  
16 Q. But my question is, did the  
17 Buzzeo company provide any substantive  
18 feedback on what should be in that VAWD  
19 manual, besides the formatting of it?  
20 MR. LAVELLE: Object to  
21 form. Objection. Asked and  
22 answered.  
23 THE WITNESS: I don't  
24 remember.

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1 BY MR. POWERS:  
2 Q. Besides the Buzzeo audits,  
3 the Buzzeo conferences and the assistance  
4 with the VAWD verification, did Buzzeo's  
5 company ever do anything else for Rite  
6 Aid?  
7 A. I don't remember.  
8 Q. I want to go back to the  
9 Buzzeo conferences for a second.  
10 Did you ever receive any  
11 written materials as a result of  
12 attending one of those conferences?  
13 A. I believe I did.  
14 Q. And what did you do with  
15 that written material?  
16 A. I probably would have kept  
17 it in my office so that anyone could see  
18 it.  
19 Q. Did you receive that written  
20 material in hardcopy form?  
21 A. I believe so.  
22 Q. Do you know if you received  
23 it in electronic form?  
24 A. I don't remember.

<p style="text-align: right;">Page 58</p> <p>1 Q. What kind of materials did 2 you receive from the Buzzeo conferences? 3 A. They were just like little 4 pamphlets or flyer-type things. 5 Q. And you said you kept those 6 in your office so anyone can see them. 7 Do you know if anyone ever 8 came in and referenced those materials? 9 A. I want to clarify, it wasn't 10 a lot. It was just a few flyers and 11 things. 12 I don't recall who all would 13 have seen them. 14 Q. Did you ever talk to anyone 15 about what you learned at those Buzzeo 16 conferences? 17 A. Yes. 18 Q. Who? 19 A. Whoever my manager was at 20 the time. 21 Q. Do you remember who the 22 manager was you talked to about the 23 Buzzeo conferences? 24 A. No.</p>	<p style="text-align: right;">Page 60</p> <p>1 manager? Regulatory compliance manager? 2 Which manager? 3 MR. LAVELLE: Object to 4 form. 5 THE WITNESS: I don't 6 remember the specific manager. 7 BY MR. POWERS: 8 Q. Do you remember talking to 9 anyone besides your manager about those 10 Buzzeo conferences? 11 A. I don't remember. 12 Q. But it's safe to say you 13 didn't come back and hold some sort of 14 discussion with the staff about what you 15 learned at the Buzzeo conferences? 16 MR. LAVELLE: Object to 17 form. 18 THE WITNESS: If I learned 19 anything that was different or 20 new, I would have -- I believe I 21 would have shared it with the 22 employees and my manager. 23 BY MR. POWERS: 24 Q. And when you say "the</p>
<p style="text-align: right;">Page 59</p> <p>1 Q. When you say "manager," 2 would that have been the general manager 3 or the department manager? 4 MR. LAVELLE: Object to 5 form. 6 BY MR. POWERS: 7 Q. Or someone else? 8 MR. LAVELLE: Same 9 objection. 10 THE WITNESS: Can you repeat 11 that? 12 BY MR. POWERS: 13 Q. You said you would talk to 14 whoever your manager was at the time 15 about the Buzzeo conferences you went to, 16 right? 17 A. Yes. 18 Q. I'm just trying to figure 19 out what manager you're talking about. 20 Who would be the manager you 21 talked to? 22 A. I don't recall. 23 Q. And when you say "manager," 24 do you mean department manager? General</p>	<p style="text-align: right;">Page 61</p> <p>1 employees," who would -- who would that 2 have been? 3 A. The employees in the 4 controlled drug cage. 5 Q. How would you have shared 6 that information with them? 7 A. Probably in the morning 8 meeting. 9 Q. What are morning meetings? 10 A. To go over anything we 11 needed to let them know, anything that 12 was going on. 13 Q. Did you have a morning 14 meeting every morning? 15 A. I don't remember. 16 Q. Was there any regular 17 schedule that the morning meetings 18 happened on? 19 A. I don't remember. 20 Q. Who would attend the morning 21 meetings? 22 A. The employees. 23 Q. When you say "the 24 employees," you mean the controlled cage</p>

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1 employees, or all the employees?  
2 MR. LAVELLE: Object to  
3 form.  
4 THE WITNESS: The control --  
5 Sorry.  
6 MR. LAVELLE: It's okay.  
7 THE WITNESS: The controlled  
8 cage employees.  
9 BY MR. POWERS:  
10 Q. Just so I have it clear, the  
11 morning meetings were for controlled cage  
12 employees only; is that right?  
13 A. The meeting that I would  
14 have in the cage, would be for the cage,  
15 yes.  
16 MR. LAVELLE: Counsel, we've  
17 been going for about an hour, or  
18 close to an hour. Can we take a  
19 break when convenient?  
20 MR. POWERS: Yes. Maybe  
21 just a couple more questions, and  
22 then we can take a break.  
23 MR. LAVELLE: Okay. Thank  
24 you.

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1 BY MR. POWERS:  
2 Q. Besides training with Kevin  
3 Mitchell and the Buzzeo trainings we've  
4 just discussed, did you have any other  
5 trainings for your role as DEA  
6 coordinator?  
7 A. Other than reading the  
8 manuals and the CFR, I don't recall.  
9 MR. POWERS: Okay. We can  
10 take a break now.  
11 MR. LAVELLE: Thank you.  
12 VIDEO TECHNICIAN: The time  
13 is now 10:25 a.m. We are going  
14 off the record.  
15 - - -  
16 (Whereupon, a brief recess  
17 was taken.)  
18 - - -  
19 VIDEO TECHNICIAN: The time  
20 is now 10:42 a.m. We are back on  
21 the record.  
22 BY MR. POWERS:  
23 Q. Welcome back, Ms. Wood.  
24 Before we took a break, we were

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1 discussing the Buzzeo conferences.  
2 Do you recall that?  
3 A. Yes.  
4 Q. What was discussed at those  
5 Buzzeo conferences you went to?  
6 A. I don't remember everything.  
7 Q. To the best of your  
8 recollection, what was discussed?  
9 MR. ZHOU: Can someone  
10 unmute the line?  
11 MR. POWERS: Sorry  
12 about that. Can you hear us now?  
13 MR. ZHOU: Yes, we can hear  
14 you now.  
15 BY MR. POWERS:  
16 Q. So before we got interrupted  
17 there, to the best of your recollection,  
18 what was discussed at the Buzzeo  
19 conferences you attended?  
20 A. I'm drawing a blank.  
21 Q. Do you remember anything at  
22 all?  
23 A. Not right this minute, no.  
24 Q. At the Buzzeo conferences

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1 you attended, were suspicious order  
2 monitoring programs discussed?  
3 A. I couldn't swear to it.  
4 Q. What do you mean by you  
5 "couldn't swear to it"?  
6 A. I really don't remember  
7 every -- I don't remember what all was  
8 discussed.  
9 Q. We talked a little bit about  
10 who you talked with at the distribution  
11 center about your time at the Buzzeo  
12 conferences, right?  
13 A. Yes.  
14 Q. Did you ever discuss the  
15 Buzzeo conferences with anyone outside of  
16 the distribution center?  
17 A. I would have probably talked  
18 to Kevin, but -- if he didn't go. But I  
19 believe he was there.  
20 Q. Anyone else besides Kevin  
21 you would have talked to about them?  
22 MR. LAVELLE: Object to  
23 form.  
24 THE WITNESS: I don't

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1 remember.  
2 BY MR. POWERS:  
3 Q. How about other distribution  
4 center employees, did you ever talk to  
5 them about what happened at the Buzzeo  
6 conferences?  
7 A. I don't remember.  
8 Q. I've been using the word  
9 "talk."  
10 When I say "talk," I mean  
11 communicate in any way, whether it's  
12 phone, e-mail, anything.  
13 Is your answer the same?  
14 A. I don't --  
15 MR. LAVELLE: Object to  
16 form.  
17 THE WITNESS: I don't  
18 remember.  
19 BY MR. POWERS:  
20 Q. And I realize when we were  
21 going through your job history, I didn't  
22 ask, after leaving Rite Aid in 2014, what  
23 did you do after that?  
24 A. I took about two weeks off,

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1 and then got a job with another company.  
2 Q. What company was that?  
3 A. MTM Ventures.  
4 Q. What does MTM Ventures do?  
5 A. It's a trucking company.  
6 Q. How long did you work at MTM  
7 Ventures for?  
8 A. I'm currently there.  
9 Q. Why did you leave Rite Aid  
10 in 2014?  
11 A. My -- they were closing the  
12 pharmacy for distribution, and my  
13 position was going away.  
14 Q. Did you ever try to get  
15 another position at Rite Aid not in the  
16 pharmacy department?  
17 A. No.  
18 MR. POWERS: So as I told  
19 Mr. Lavelle before the deposition  
20 started, we had some issues with  
21 our documents. So these are  
22 actually double-sided copies, most  
23 of them are double-sided copies  
24 from our own binders, and we don't

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1 have, other than for the witness,  
2 additional hardcopy documents.  
3 We can work out with counsel  
4 about how we want to put the  
5 documents in the final record.  
6 But for now, and if it's all right  
7 with Mr. Lavelle, I'm just going  
8 to hand the witness a hardcopy  
9 version, but it has three-hole  
10 punches from our own binder. It's  
11 no different than what was in the  
12 database itself.  
13 Is that okay?  
14 MR. LAVELLE: Yes, that's  
15 fine, as long as I can look at the  
16 document along with the witness.  
17 MR. POWERS: Right. And  
18 we'll have it up on the screen as  
19 well for other counsel at the  
20 table, so they can -- so everyone  
21 can be on the same page with the  
22 exhibits.  
23 MR. LAVELLE: And as we have  
24 done in a couple of other

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1 depositions where we had some  
2 document production issues, we can  
3 confer after the deposition on  
4 getting an agreed-upon set of  
5 exhibits substituted in to attach  
6 to the transcript.  
7 MR. POWERS: Yes, that's  
8 fine.  
9 BY MR. POWERS:  
10 Q. Ms. Wood, I'm going to hand  
11 you what's been marked as Wood Exhibit-1.  
12 It is a printout of a spreadsheet with  
13 the Bates number Rite\_Aid\_OMDL\_0013471.  
14 Why don't you take a minute  
15 and look at that document?  
16 - - -  
17 (Whereupon, Rite Aid-Wood  
18 Exhibit-1, Rite\_Aid\_OMDL\_0013471,  
19 was marked for identification.)  
20 - - -  
21 BY MR. POWERS:  
22 Q. And I'll tell you right now,  
23 it's somewhat -- it's somewhat long. So  
24 I'm just going to ask you a couple of

<p style="text-align: right;">Page 70</p> <p>1 questions about specific parts of it. 2 So, hopefully, that will 3 help you review it more quickly. 4 MR. LAVELLE: The print is 5 small, so -- 6 THE WITNESS: It is. 7 MR. LAVELLE: -- if you have 8 trouble seeing the print -- 9 MR. POWERS: If you look at 10 it on the screen, it might be a 11 little bit more easy to read. 12 MR. LAVELLE: But just take 13 a look at the document and when 14 you've had a chance to eyeball it 15 all, you can tell him that you're 16 ready to answer questions about 17 it. 18 BY MR. POWERS: 19 Q. Do you know what this 20 document is in Exhibit-1? 21 A. Yes. 22 Q. What is the document? 23 A. It's the government agency 24 correspondence.</p>	<p style="text-align: right;">Page 72</p> <p>1 column is, then? 2 A. That is saying who -- it 3 wasn't necessarily a conversation. In 4 this case, it was a fax, it was a person 5 sending a fax. 6 Q. But the person making 7 contact column would represent the person 8 who initiates the particular contact; is 9 that right? 10 A. Yes. 11 Q. And that could be either 12 someone from Rite Aid or it can be 13 someone from a government agency, right? 14 A. Yes. 15 Q. Could it be anyone else in 16 that column? 17 A. I'm not sure. 18 Q. And then it looks like 19 there's a reason/result column. 20 Do you see that? 21 A. Yes. 22 Q. What does that column show? 23 A. That's the reason for the 24 contact.</p>
<p style="text-align: right;">Page 71</p> <p>1 Q. What does the document 2 reflect? 3 A. It reflects communications 4 to us or to government agencies. 5 Q. And would this sort of 6 government agency correspondence log 7 reflect all communications that the 8 Perryman distribution center had with 9 government agencies? 10 A. I believe so. 11 Q. And it looks like, on the 12 first page of Exhibit-1, it has a column 13 there that says, Person making contact, 14 over on the left. 15 Do you see that? 16 A. Yes. 17 Q. And it looks like your name 18 appears in that column, right? 19 A. Yes. 20 Q. Does that column represent 21 the person who spoke with the government 22 agency? 23 A. Not necessarily. 24 Q. Can you explain what that</p>	<p style="text-align: right;">Page 73</p> <p>1 Q. And then the person 2 contacted column, I take that to be the 3 person who was being contacted by either 4 someone from Rite Aid or someone from the 5 government agency; is that right? 6 A. Yes. 7 Q. Where is this log kept at 8 the distribution center? 9 A. It was kept -- to the best 10 of my knowledge, it was kept in the DEA 11 office. 12 Q. Where is the DEA office? 13 A. It was on the mezzanine 14 level. 15 Q. But that would have been at 16 the Perryman distribution center? 17 A. Yes. 18 Q. And was this kept in 19 electronic form? 20 A. Yes. But it doesn't mean it 21 couldn't have possibly been a 22 handwritten. 23 Q. Okay. Can you explain that 24 to me?</p>



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1 A. Something could have been  
2 handwritten on it, on the log.  
3 Q. So there was a copy that  
4 existed in hardcopy as well?  
5 A. I'm trying to remember.  
6 I believe that it was put in  
7 electronic form.  
8 Q. So was there a hardcopy that  
9 then was transcribed into an electronic  
10 form and that's how it was kept?  
11 MR. LAVELLE: Object to  
12 form.  
13 THE WITNESS: I'm trying to  
14 remember.  
15 I believe that it was all  
16 electronic, and the pages were  
17 printed into the binder. I  
18 believe.  
19 BY MR. POWERS:  
20 Q. So to the best of your  
21 recollection, the entries were made  
22 electronically and then those pages were  
23 printed out and put in a hardcopy copy of  
24 the correspondence, the government

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1 correspondence log?  
2 A. Yes, that's what I remember.  
3 Q. Who would use this  
4 government correspondence log?  
5 A. I would put entries in.  
6 Debra Chase would. I think that's all.  
7 Q. So even if, like on Page 1  
8 here, about halfway down, for the date  
9 4/4/12, it looks like the name Keith  
10 Frost is in the column for person making  
11 contact.  
12 Do you see that?  
13 A. Yes.  
14 Q. So even though Keith Frost  
15 is the person making contact, you would  
16 be the one to write in this log?  
17 A. I believe he would give me  
18 the information and I would enter it.  
19 Q. So the person in the person  
20 making contact column would not  
21 necessarily be the one who made the  
22 entries into this log; is that right?  
23 A. Not necessarily.  
24 Q. Would anyone ever go back

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1 and consult this log after the entries  
2 were made?  
3 A. I don't remember.  
4 Q. Why did you keep this  
5 government agency correspondence log?  
6 A. I believe it's something  
7 that we were supposed to maintain.  
8 Q. You said you were supposed  
9 to maintain it.  
10 Do you know why you were  
11 supposed to maintain it?  
12 A. I can't remember.  
13 Q. Do you know what required  
14 you to maintain it?  
15 MR. LAVELLE: Object to  
16 form. Objection. Asked and  
17 answered.  
18 THE WITNESS: I can't  
19 remember.  
20 BY MR. POWERS:  
21 Q. Do you know if it was a DEA  
22 regulation that required you to have a  
23 log like this?  
24 A. I can't remember.

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1 Q. Do you know if it was a Rite  
2 Aid policy that you had to have a log  
3 like this?  
4 A. I can't remember.  
5 Q. And was this kept up until  
6 the time you left Rite Aid in 2014?  
7 A. I believe so.  
8 Q. Would records of DEA contact  
9 be in any other place besides in this log  
10 reflected in Exhibit-1?  
11 A. I'm not sure.  
12 Q. How about, to the best of  
13 your knowledge, was there any other place  
14 that contact with a government agency was  
15 kept, besides in a log like the one  
16 represented in Exhibit-1?  
17 MR. LAVELLE: Object to  
18 form.  
19 THE WITNESS: To the best of  
20 my knowledge, there might have  
21 been one up in the front offices.  
22 But I -- I'm not positive.  
23 BY MR. POWERS:  
24 Q. The front offices at the

<p style="text-align: right;">Page 78</p> <p>1 Perryman distribution center?</p> <p>2 A. Yes.</p> <p>3 Q. And if you'd turn to Page 9</p> <p>4 of Exhibit-1. And the page numbers are</p> <p>5 in the bottom right-hand corner, and it's</p> <p>6 about a quarter of the way down the page.</p> <p>7 It's for the date of 9/17/09.</p> <p>8 The first entry there with</p> <p>9 Kevin Johnson in the first column, do you</p> <p>10 see that?</p> <p>11 It might be easier here on</p> <p>12 the screen, too. He has it highlighted</p> <p>13 for you.</p> <p>14 Do you see that on the</p> <p>15 screen?</p> <p>16 A. Yes.</p> <p>17 Q. So we're looking at Page 9</p> <p>18 of Exhibit-1.</p> <p>19 And in the reason/result</p> <p>20 column there, it says, DEA inspection,</p> <p>21 Kevin Johnson and William Reed.</p> <p>22 Do you see that?</p> <p>23 A. Yes.</p> <p>24 Q. Can you tell me what that</p>	<p style="text-align: right;">Page 80</p> <p>1 Perryman facility by a government agency</p> <p>2 would be reflected on a log like in</p> <p>3 Exhibit-1?</p> <p>4 A. That was the intent.</p> <p>5 Q. I think you said before that</p> <p>6 you never went back and referenced this</p> <p>7 log yourself after the entries were made.</p> <p>8 But do you know if anyone</p> <p>9 else would go back and reference this log</p> <p>10 for any reason?</p> <p>11 A. I don't know.</p> <p>12 Q. Would anyone else besides</p> <p>13 the people who worked in the controlled</p> <p>14 drug cage have access to this log?</p> <p>15 A. Not that I know of.</p> <p>16 Can I --</p> <p>17 Q. Go ahead.</p> <p>18 A. -- change that?</p> <p>19 When you say that, like if a</p> <p>20 boss or something wanted to see it, they</p> <p>21 could. But they would have to come up</p> <p>22 and look at it.</p> <p>23 Q. Did anyone ever do that?</p> <p>24 A. I don't recall.</p>
<p style="text-align: right;">Page 79</p> <p>1 reflects?</p> <p>2 A. That we had a DEA inspection</p> <p>3 with Agents Kevin Johnson and William</p> <p>4 Reed.</p> <p>5 Q. So would this log, this</p> <p>6 government agency correspondence log,</p> <p>7 have a record of every time the Perryman</p> <p>8 distribution center got a visit from the</p> <p>9 DEA?</p> <p>10 A. That was the intent of it.</p> <p>11 Q. How about, would this log</p> <p>12 represent or have a record of every time</p> <p>13 the Perryman distribution center was</p> <p>14 visited by any government agency?</p> <p>15 A. This log would only be</p> <p>16 anything involving the controlled drug</p> <p>17 cage.</p> <p>18 Q. So this log is specifically</p> <p>19 for the controlled drug cage, not the</p> <p>20 Perryman distribution center at large?</p> <p>21 A. The best that I can</p> <p>22 remember.</p> <p>23 Q. So any audits of the</p> <p>24 controlled drug operations at the</p>	<p style="text-align: right;">Page 81</p> <p>1 Q. When you say "a boss," that</p> <p>2 would mean someone who wasn't working</p> <p>3 full time in the controlled drug cage,</p> <p>4 but would be a manager of someone who</p> <p>5 worked in the controlled drug cage; is</p> <p>6 that right?</p> <p>7 A. It would be a department</p> <p>8 manager, ops manager, general manager</p> <p>9 or --</p> <p>10 Q. You can put that Exhibit-1</p> <p>11 to the side.</p> <p>12 And just so we're clear, we</p> <p>13 talked about it a little bit before, but</p> <p>14 Rite Aid distributed controlled</p> <p>15 substances from the Perryman distribution</p> <p>16 center, correct?</p> <p>17 A. Yes.</p> <p>18 Q. And that was up until 2014,</p> <p>19 right?</p> <p>20 A. Yes.</p> <p>21 - - -</p> <p>22 (Whereupon, Rite Aid-Wood</p> <p>23 Exhibit-2,</p> <p>24 Rite_Aid_OMDL_0013855-858, was</p>



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1 marked for identification.)  
2 - - -  
3 BY MR. POWERS:  
4 Q. I'm going to hand you what's  
5 been marked as Exhibit-2. This is Bates  
6 number Rite\_Aid\_OMDL\_0013855 through  
7 3858. It's a double-sided exhibit.  
8 Take a look at Exhibit-2.  
9 A. It starts back here, right?  
10 Q. Yes. It would start from  
11 the back forward, yes.  
12 And I'll represent to you  
13 the form on the very last page of  
14 Exhibit-2 is actually the attachment to  
15 the e-mail chain that's reflected in the  
16 other pages of Exhibit-2.  
17 I'll direct your attention  
18 to the page ending in Bates number 3856.  
19 It's the back of the first page in that  
20 Exhibit-2.  
21 The second e-mail on the  
22 page there looks like it is Keith Frost  
23 sent an e-mail to you, Mwood@riteaid.com.  
24 Do you see that?

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1 A. Yes.  
2 Q. And it looks like Keith  
3 Frost asks you, Marian, can you fill this  
4 out and return to Jessica Dowel and cc me  
5 and Kevin? Thanks, Keith.  
6 Do you see that?  
7 A. Yes.  
8 Q. Who is Jessica Dowel?  
9 A. I don't remember.  
10 Q. What is Keith Frost asking  
11 you to fill out here?  
12 A. I don't remember this, but I  
13 assume it's this, because it's attached.  
14 Q. When you say "this," it  
15 looks like you're referring to the last  
16 page of Exhibit-2, which is the  
17 attachment to the e-mail.  
18 Going back to the e-mails  
19 themselves, it looks like Keith Frost  
20 asked you to fill it out. And then  
21 eventually, at the top of Exhibit-2, the  
22 first page, Bates number 3855, you say,  
23 Jessica, I faxed the completed copy to  
24 you. It would not let me fill in the top

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1 questions.  
2 Do you see that?  
3 A. Yes.  
4 Q. And the date on this e-mail  
5 is, it looks like, March 31st, 2011.  
6 Do you see that?  
7 A. Yes.  
8 Q. And I have a question for  
9 you.  
10 In the cc line, there's a  
11 Marian L. Wood, spelled M-A-R-I-A-N, and  
12 it looks like it's from a Marion Wood,  
13 M-A-R-I-O-N.  
14 Do you see that? What is  
15 the difference there?  
16 A. None that I know of.  
17 Q. Well, they looks like  
18 they're spelled differently, right, the  
19 two Marians?  
20 A. Yes.  
21 Q. Is that both your e-mail  
22 address?  
23 A. I don't understand.  
24 Q. So it looks like there's a

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1 Marian spelled with an A and a Marion  
2 spelled with an O.  
3 Do you see that?  
4 A. Yes.  
5 Q. Are those people reflected  
6 in those two different spellings both  
7 you?  
8 A. As far as I know.  
9 Q. Do you know why there's a  
10 difference in spelling?  
11 A. I don't know.  
12 Q. Is it because one is the  
13 e-mail address and one is the Sysm  
14 address?  
15 A. I don't know.  
16 Q. But you don't know any other  
17 Marian Woods that worked at Rite Aid, do  
18 you?  
19 A. No.  
20 Q. In that top e-mail, it says  
21 that you faxed the completed copy to  
22 Jessica Dowel, right?  
23 A. Yes.  
24 Q. And it looks like there's an

<p style="text-align: right;">Page 86</p> <p>1 attachment there. And it says, Form, a 2 long underscore, V9distributors.doc. 3 Do you see that? 4 A. Yes. 5 Q. And I'll represent to you 6 that the form that is that attachment is 7 the last page of Exhibit-2. 8 How come Keith Frost asked 9 you to fill out this form? 10 MR. LAVELLE: Object to 11 form. 12 BY MR. POWERS: 13 Q. Do you know why Keith Frost 14 asked you to fill out this form? 15 A. I assumed he thought I knew 16 the answers. 17 Q. And the top of the last page 18 of Exhibit-2, it looks like the date 19 there is July 27th, 2018. 20 Do you see that? 21 A. Yes. 22 Q. It appears to me that date 23 is wrong, because this was attached to an 24 e-mail in 2011.</p>	<p style="text-align: right;">Page 88</p> <p>1 comfortable saying yes with that 2 date on it. And I don't recall 3 this document, so. 4 BY MR. POWERS: 5 Q. Did you ever fill out a 6 document similar to this? 7 A. I don't remember. 8 Q. I'm going to direct you down 9 to the last question there in this form, 10 on the last page of Exhibit-2. 11 It says, Does your company 12 refrain from filling orders issued by 13 practitioners based solely on an online 14 questionnaire, without the benefit of a 15 medical exam or bona fide doctor/patient 16 relationship? 17 Do you see that? 18 A. Yes. 19 Q. How would you have answered 20 that question when you were at Rite Aid 21 in 2011 when these e-mails were sent? 22 MR. LAVELLE: Object to 23 form. 24 THE WITNESS: I don't know,</p>
<p style="text-align: right;">Page 87</p> <p>1 Would you agree with me? 2 A. I guess. 3 Q. But you were not working at 4 Rite Aid in 2018, right? 5 A. 2018, no. 6 Q. And what is this form that 7 you filled out on the last page of 8 Exhibit-2? 9 A. I can't say that I filled 10 this form out, if it's 2018. 11 Q. Well, I'll tell you that the 12 form represented in Exhibit -- the last 13 page of Exhibit-2 was the one attached to 14 this e-mail chain from 2011 in the 15 documents that we have. 16 So it looks like you said, I 17 faxed a completed copy to you in the 18 first e-mail there. 19 So it looks like, from that 20 e-mail, that you did complete this form, 21 even if the date on it is wrong, right? 22 MR. LAVELLE: Objection to 23 the form of the question. 24 THE WITNESS: I don't feel</p>	<p style="text-align: right;">Page 89</p> <p>1 because it's not something I -- I 2 don't know. 3 BY MR. POWERS: 4 Q. Do you know if Rite Aid 5 refrained from filling orders issued by 6 practitioners based solely on an online 7 questionnaire without the benefit of a 8 medical exam or bona fide doctor/patient 9 relationship? 10 A. That's not my area. 11 Q. Whose area would that have 12 been? 13 A. If I'm reading this right, 14 it sounds like a pharmacist. 15 Q. How about the question above 16 that, If you have an Internet site, does 17 it refrain from facilitating the 18 acquisition of controlled substances from 19 a practitioner with whom the buyer has no 20 prior personal relationships? 21 Do you see that? 22 A. Yes, I see it. 23 Q. Would you have been the 24 person who would have been able to answer</p>

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1 that question in 2011?

2 MR. LAVELLE: Object to

3 form.

4 THE WITNESS: I don't recall

5 this at all, so --

6 BY MR. POWERS:

7 Q. I'm not asking now if you

8 recall this particular document.

9 I'm just asking you, who

10 would have been the person, in 2011, who

11 would have been able to certify the

12 answer to that question that I just read

13 to you?

14 A. Can you repeat the question?

15 Q. Who at Rite Aid would have

16 been able to answer and certify a

17 question about whether Rite Aid has an

18 Internet site and whether that Internet

19 site refrains from facilitating the

20 acquisition of controlled substances from

21 practitioners with whom the buyer has no

22 prior personal relationship?

23 MR. LAVELLE: Object to

24 form.

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1 THE WITNESS: I don't know.

2 I don't --

3 BY MR. POWERS:

4 Q. You don't know who at Rite

5 Aid would be able to answer that

6 question?

7 MR. LAVELLE: Object to

8 form. Objection. Asked and

9 answered.

10 THE WITNESS: I'm not sure

11 how to answer that.

12 BY MR. POWERS:

13 Q. You're not sure how to

14 answer that question, or you're not sure

15 who would have been able to answer that

16 question?

17 A. Both.

18 MR. LAVELLE: Object to

19 form.

20 BY MR. POWERS:

21 Q. But you would not have been

22 the person to answer that question; is

23 that right?

24 A. I don't recall.

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1 Q. When you were working at

2 Rite Aid, did you have, as part of your

3 job responsibilities, the knowledge to

4 answer the question in that row I just

5 read?

6 MR. LAVELLE: Object to

7 form.

8 THE WITNESS: I can't

9 remember.

10 BY MR. POWERS:

11 Q. Moving up to the next one,

12 above that column we were just looking

13 at, the one that starts, Do you

14 refrain -- do you see where I'm at?

15 A. Yes.

16 Q. Who at Rite Aid would be

17 able to have answered this question in

18 2011, Do you refrain from offering to

19 facilitate the acquisition of controlled

20 substances from a practitioner with whom

21 the buyer has no prior personal

22 relationship?

23 MR. LAVELLE: Object to

24 form.

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1 THE WITNESS: I don't know.

2 BY MR. POWERS:

3 Q. Would that person have been

4 you?

5 A. I don't recall.

6 Q. Could you have answered this

7 question about whether Rite Aid refrained

8 from offering to facilitate the

9 acquisition of controlled substances from

10 a practitioner with whom the buyer has no

11 prior personal relationship in 2011?

12 MR. LAVELLE: Object to

13 form.

14 THE WITNESS: I don't

15 remember what I would have known

16 back then.

17 BY MR. POWERS:

18 Q. Moving up to the next row.

19 That row asks, Does your

20 company refrain from affiliation with an

21 Internet site that solicits or services

22 orders for controlled substances?

23 Would you have been able to

24 answer this question in 2011?

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1 MR. LAVELLE: Object to  
2 form.  
3 THE WITNESS: I feel the  
4 same with the whole thing.  
5 BY MR. POWERS:  
6 Q. When you say "the whole  
7 thing," you mean every single question on  
8 the last page of Exhibit-2?  
9 A. What I've read, I just  
10 don't -- I don't recall it. And I don't  
11 recall if I -- I can't say right now  
12 that, yes, I did or didn't know all this.  
13 But I don't -- I don't  
14 remember.  
15 Q. Moving up one more row, it  
16 asks, Does your company have a  
17 documented, quote, suspicious order  
18 monitoring program, end quote, as  
19 required by DEA per 21 C.F.R. 1301.74(b)?  
20 Do you see that?  
21 A. Yes.  
22 Q. Would you have been the  
23 person who could answer this question  
24 that I just read in 2011?

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1 MR. LAVELLE: Object to  
2 form.  
3 THE WITNESS: I did know,  
4 yes, that we had a suspicious  
5 order monitoring.  
6 But I still don't remember  
7 any of this.  
8 BY MR. POWERS:  
9 Q. I'm not asking if you  
10 specifically remember this particular  
11 form.  
12 I'm just saying that  
13 question on this form, could you have  
14 answered that question in 2011?  
15 MR. LAVELLE: Object to  
16 form. Objection. Asked and  
17 answered.  
18 THE WITNESS: I don't  
19 remember.  
20 BY MR. POWERS:  
21 Q. You were the DEA  
22 coordinator, right?  
23 A. Yes.  
24 Q. And this is talking about

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1 DEA regulations, right?  
2 A. Yes.  
3 Q. Did Rite Aid have a  
4 documented suspicious order program in  
5 2011?  
6 MR. LAVELLE: Object to  
7 form.  
8 THE WITNESS: We had a  
9 monitoring program.  
10 BY MR. POWERS:  
11 Q. Is that different than a  
12 suspicious order monitoring program?  
13 A. It was -- it was  
14 excessive/suspicious.  
15 Q. Are excessive orders  
16 different than suspicious orders?  
17 A. Yes.  
18 Q. How so?  
19 A. Excessive is when they're  
20 over ordered, they're not necessarily  
21 suspicious.  
22 Q. What do you mean by "over  
23 ordered"?  
24 A. Over ordered as in ordered

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1 too many of what was allowed.  
2 Q. How did you determine what  
3 was allowed?  
4 A. We had a -- we had an --  
5 order monitoring limits for different  
6 counts, pill counts.  
7 Q. Were those called  
8 thresholds?  
9 A. Yes.  
10 Q. And this question asks, in  
11 the last page of Exhibit-2, whether Rite  
12 Aid has a documented suspicious order  
13 monitoring program.  
14 Do you know if Rite Aid had  
15 a documented suspicious order monitoring  
16 program?  
17 A. I'm not sure how to answer  
18 that.  
19 Yes, we had a program. Yes.  
20 I believe, yes.  
21 Q. How was it documented?  
22 A. Can you repeat that?  
23 Q. How was the suspicious order  
24 monitoring program Rite Aid had

<p style="text-align: right;">Page 98</p> <p>1 documented?</p> <p>2 A. Are you saying how was the</p> <p>3 program documented? I'm -- can you</p> <p>4 repeat that?</p> <p>5 Q. Sure.</p> <p>6 You testified earlier that</p> <p>7 Rite Aid had a suspicious/excessive order</p> <p>8 monitoring program, right?</p> <p>9 A. Yes.</p> <p>10 Q. How was that program</p> <p>11 documented?</p> <p>12 A. I'm not sure how to answer</p> <p>13 that.</p> <p>14 We have a log that we would</p> <p>15 write the orders in. But I'm having a</p> <p>16 problem answering this because we never</p> <p>17 had a suspicious order. So I don't know</p> <p>18 if I'm answering this correctly.</p> <p>19 Q. My question now is not about</p> <p>20 whether or not you had a suspicious order</p> <p>21 or not.</p> <p>22 My question is just, was the</p> <p>23 suspicious/excessive order monitoring</p> <p>24 program that Rite Aid had documented in</p>	<p style="text-align: right;">Page 100</p> <p>1 talked about earlier?</p> <p>2 A. They were logs that we used</p> <p>3 to note orders that were above what was</p> <p>4 allowed.</p> <p>5 Q. And that would have been</p> <p>6 above-threshold orders, right?</p> <p>7 A. Also anything that just</p> <p>8 didn't look right. So it wasn't</p> <p>9 necessarily always above the threshold.</p> <p>10 Q. Besides those logs and the</p> <p>11 procedure manual, was the</p> <p>12 suspicious/excessive order monitoring</p> <p>13 program at Rite Aid documented anywhere</p> <p>14 else?</p> <p>15 A. I'm drawing a blank. I</p> <p>16 don't know.</p> <p>17 Q. You were the DEA</p> <p>18 coordinator, though, right?</p> <p>19 A. Yes.</p> <p>20 Q. You don't know where it was</p> <p>21 besides those two locations?</p> <p>22 A. I don't --</p> <p>23 MR. LAVELLE: Object to</p> <p>24 form. Objection. Asked and</p>
<p style="text-align: right;">Page 99</p> <p>1 any way?</p> <p>2 MR. LAVELLE: Object to</p> <p>3 form.</p> <p>4 THE WITNESS: I'm very</p> <p>5 confused. I'm sorry.</p> <p>6 BY MR. POWERS:</p> <p>7 Q. Okay. What are you confused</p> <p>8 about?</p> <p>9 A. We had a -- the order</p> <p>10 monitoring that could -- had we had</p> <p>11 suspicious orders, would have been along</p> <p>12 with that. But I can't remember exactly</p> <p>13 the wording of what we did have.</p> <p>14 Q. Was the suspicious/excessive</p> <p>15 order monitoring program written down</p> <p>16 anywhere?</p> <p>17 A. Yes.</p> <p>18 Q. Where was it written down?</p> <p>19 A. In the procedure manual.</p> <p>20 Q. Anywhere else?</p> <p>21 A. I don't remember.</p> <p>22 Q. You also mentioned some</p> <p>23 logs.</p> <p>24 What were those logs you</p>	<p style="text-align: right;">Page 101</p> <p>1 answered.</p> <p>2 THE WITNESS: I don't</p> <p>3 recall.</p> <p>4 BY MR. POWERS:</p> <p>5 Q. The last -- or the top row</p> <p>6 there on the last page of Exhibit-2 says,</p> <p>7 Does your company verify that your</p> <p>8 customers have a suspicious order</p> <p>9 monitoring program as described by 21</p> <p>10 C.F.R. 1301.74(b)?</p> <p>11 Do you see that?</p> <p>12 MR. LAVELLE: Object to</p> <p>13 form.</p> <p>14 THE WITNESS: Yes.</p> <p>15 BY MR. POWERS:</p> <p>16 Q. Do you know who the</p> <p>17 customers here would be for Rite Aid</p> <p>18 referred to in this question?</p> <p>19 A. I'm not sure.</p> <p>20 Q. And just to be clear,</p> <p>21 besides the second row there about the</p> <p>22 suspicious order monitoring program as</p> <p>23 required by DEA, the other questions,</p> <p>24 you're not sure who at Rite Aid would</p>

<p style="text-align: right;">Page 102</p> <p>1 have been able to answer those questions, 2 right? 3 MR. LAVELLE: Object to 4 form. Objection. Asked and 5 answered. 6 THE WITNESS: No. 7 BY MR. POWERS: 8 Q. And just to be clear, I 9 asked, you're not sure, and you answered 10 no, meaning -- 11 A. I'm not sure. 12 Q. Okay. Do you remember if 13 anyone else besides yourself filled out a 14 form similar to this one in the last page 15 of Exhibit-2? 16 MR. LAVELLE: Object to 17 form. 18 THE WITNESS: I don't know. 19 BY MR. POWERS: 20 Q. Did you ever fill out any 21 other forms that were sent by 22 pharmaceutical manufacturers? 23 A. I don't recall. 24 Q. You can put that exhibit to</p>	<p style="text-align: right;">Page 104</p> <p>1 Exhibit-3? 2 A. The DEA regulatory 3 compliance. 4 Q. And is this the same 5 document you referred to before that you 6 used in your training with Kevin 7 Mitchell? 8 A. I believe so. 9 Q. I think you referred to it 10 as the DEA regulatory compliance manual 11 before. 12 Is that the same thing as 13 what's in Exhibit-3? 14 A. I believe so. 15 Q. Where was this document kept 16 at the distribution center? 17 A. I believe it was in the DEA 18 office. 19 Q. Was it kept in hardcopy? 20 A. Yes. 21 Q. Was -- were electronic 22 versions of this document made available 23 to anyone? 24 A. I'm not sure.</p>
<p style="text-align: right;">Page 103</p> <p>1 the side. 2 MR. LAVELLE: You can put it 3 over there. 4 Great. Thank you. 5 - - - 6 (Whereupon, Rite Aid-Wood 7 Exhibit-3, 8 Rite_Aid_OMDL_0014804-874, was 9 marked for identification.) 10 - - - 11 BY MR. POWERS: 12 Q. I'm going to hand you what's 13 been marked Wood Exhibit-3. It's a 14 document with the Bates number 15 Rite_Aid_OMDL_0014804 through 14874. 16 Once again, it's sort of a 17 lengthy document. If you want to flip 18 through it and familiarize yourself with 19 it, I'm only going to ask you questions 20 about a specific page. 21 Are you familiar with this 22 document in Exhibit-3? 23 A. I believe so. 24 Q. What is the document in</p>	<p style="text-align: right;">Page 105</p> <p>1 Q. So if it was kept in the DEA 2 office, who would have had access to this 3 document? 4 A. I guess anyone that wanted 5 to see it. 6 Q. I'm going to direct your 7 attention to the page with the Bates 8 number 14828. 9 Do you see that in the 10 bottom right-hand corner? The title of 11 that page I'm looking for is, Section VI, 12 Suspicious Order Monitoring. 13 Are you on that page? 14 A. Yes. 15 Q. Is this what you were 16 referring to in your previous testimony 17 about the documented suspicious order 18 monitoring program? 19 A. Yes. 20 Q. Just this page here? 21 A. Can you repeat that? 22 Q. Sure. 23 When we talked about the 24 suspicious/excessive monitoring program</p>



<p style="text-align: right;">Page 106</p> <p>1 Rite Aid had, does this page here in 2 Exhibit-3, Page 14828, is that the extent 3 of the excessive/suspicious order 4 monitoring program that Rite Aid had? 5 MR. LAVELLE: Object to 6 form. 7 THE WITNESS: This is one of 8 them. 9 BY MR. POWERS: 10 Q. One of what? 11 A. The order monitoring. 12 Q. The other being the logs you 13 talked about? 14 A. The training, we also had 15 one for training. 16 Q. So you have this page here 17 in Exhibit-3, Page 14828; you have the 18 logs; and then you have a third document, 19 a training document; is that right? 20 A. I believe. 21 Q. Let's look at this page here 22 in Exhibit-3, Page 14828. 23 Look at the -- Paragraph 24 Number 1 there. It says, All orders</p>	<p style="text-align: right;">Page 108</p> <p>1 and call the store, if we could, and 2 verify the quantity. 3 But they were never allowed 4 to get over the threshold. 5 Q. So in your review of the 6 order, you just looked to see if it 7 exceeds the threshold, right? 8 A. Yes. 9 Q. In the second sentence in 10 Paragraph Number 1, it says, Any order 11 exceeding the threshold is immediately 12 forwarded to the department manager for 13 further investigation. 14 Who would the department 15 manager referred to here be? 16 A. Whoever the manager was at 17 the time. 18 Q. When it says "department 19 manager," that's a different position 20 than the DEA coordinator? 21 MR. LAVELLE: Object to 22 form. 23 THE WITNESS: I'm sorry, can 24 you repeat?</p>
<p style="text-align: right;">Page 107</p> <p>1 containing controlled substances are 2 reviewed and verified for order quantity 3 and size to not exceed the determined 4 order history threshold. 5 Do you see that? 6 A. Yes. 7 Q. How were the orders reviewed 8 and verified? 9 A. The orders themselves, they 10 came through our automated system. So -- 11 Q. How were those orders that 12 came through the automated system 13 reviewed and verified? 14 A. Okay, I'm confused. 15 Q. Okay. 16 A. I can only comment on what 17 came through to us to pick. 18 Q. Okay. So how were the 19 orders that came through to the Perryman 20 distribution center reviewed and verified 21 pursuant to this policy? 22 A. We had an established 23 threshold. And if -- any orders that 24 were above that, we would put in the log</p>	<p style="text-align: right;">Page 109</p> <p>1 BY MR. POWERS: 2 Q. Sure. 3 I'm just trying to figure 4 out who the department manager that these 5 orders exceeding the threshold would have 6 been forwarded to. 7 A. I don't know that they were 8 forwarded to the department manager. I'm 9 kind of confused a little bit. 10 The orders that were above 11 the threshold would have been logged and 12 called. They wouldn't necessarily be 13 taken all the way to the department 14 manager level. 15 Q. So in your experience, the 16 department manager was not always 17 forwarded the orders that came in above 18 the threshold; is that right? 19 A. Yes. 20 Q. So that would have been a 21 violation of this policy, as it's written 22 right here, right? 23 MR. LAVELLE: Object to 24 form.</p>



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1 THE WITNESS: I'm not sure.  
2 BY MR. POWERS:  
3 Q. I mean, as I read this, it  
4 says, Any order exceeding the threshold  
5 is immediately forwarded to the  
6 department manager for further  
7 investigation, right?  
8 And what you're saying is  
9 that they were not always forwarded to  
10 the department manager, right?  
11 MR. LAVELLE: Object to  
12 form.  
13 THE WITNESS: I'm not sure  
14 that -- I don't -- I don't  
15 believe -- the only way I could  
16 answer this is while we were  
17 working -- I don't know how to  
18 answer this.  
19 I don't know how to answer  
20 you.  
21 BY MR. POWERS:  
22 Q. And it says here the  
23 department manager is forwarded these  
24 orders for, quote, further investigation,

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1 right?  
2 A. Yes, that's what it says.  
3 Q. Do you know of any time that  
4 a department manager did further  
5 investigation of an order that came in  
6 over the threshold?  
7 A. I believe we -- we  
8 determined this as if it were suspicious,  
9 it would go to the department manager  
10 level. But I can't -- I don't know.  
11 Q. But it doesn't say --  
12 A. I can't remember.  
13 Q. I'm sorry. Are you done?  
14 A. Yes.  
15 Q. But it doesn't say only  
16 involve department managers when the  
17 order is suspicious, right?  
18 It says, Any order exceeding  
19 the threshold should be immediately  
20 forwarded to the department manager,  
21 right? That's what it says?  
22 MR. LAVELLE: Object to  
23 form.  
24 THE WITNESS: That's what it

Page 112

1 says.  
2 BY MR. POWERS:  
3 Q. And you don't know of any  
4 department manager that did an  
5 investigation after being forwarded an  
6 order that was above threshold, right?  
7 A. Not department manager, no.  
8 Q. Moving down to the Paragraph  
9 Number 2, Suspicious orders include  
10 orders of unusual size, orders deviating  
11 substantially from a normal pattern, and  
12 orders of unusual frequency.  
13 Do you see that?  
14 A. Yes.  
15 Q. How did you determine if  
16 these orders were of unusual size?  
17 A. When an order came down --  
18 we basically went with the threshold.  
19 When an order came down, it needed to be  
20 within the threshold. If it was over the  
21 threshold, then we would log it in the  
22 book. Or if it just seemed unusual, we  
23 would log that as well.  
24 Q. So in terms of unusual size,

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1 it was, basically, whether or not the  
2 order exceeded the threshold? That's  
3 what qualified it as unusual, right?  
4 MR. LAVELLE: Object to  
5 form.  
6 THE WITNESS: Not  
7 necessarily.  
8 BY MR. POWERS:  
9 Q. Besides exceeding -- let me  
10 back up, actually.  
11 So if the order exceeded the  
12 threshold, would you qualify that as an  
13 unusual sized order?  
14 A. If it exceeded the  
15 threshold, we would call on it, yes.  
16 Q. When you say -- what do you  
17 mean when you say "we would call on it"?  
18 A. When it lit up and it was  
19 above the threshold, we would try to stop  
20 the pick and call the store and let them  
21 know that it exceeds the threshold, we  
22 can't -- that we are not going to be able  
23 to send it to them.  
24 Q. Besides when an order

<p style="text-align: right;">Page 114</p> <p>1 exceeded the thresholds, how would you          2 determine if an order was of unusual          3 size?          4 A. Sometimes it just seemed too          5 high for what that item was picking that          6 day. And we would -- it just looked out          7 of the ordinary, so we would call and          8 verify it.          9 Q. When you say it "looked out          10 of the ordinary," was that just based on          11 your own personal experience?          12 A. Based on the pattern of the          13 day, something is picking 2, 2, 2, and          14 then something comes up 10, you just          15 might want to call on it. And we would          16 do that.          17 Q. The next one there, it          18 says -- back in Paragraph 2, it says,          19 Orders deviating substantially from a          20 normal pattern.          21 Do you see that?          22 A. Uh-huh.          23 Q. How did you determine          24 whether an order deviated substantially</p>	<p style="text-align: right;">Page 116</p> <p>1 Q. So it was the picker's          2 responsibility to determine whether an          3 order deviated substantially from a          4 normal pattern?          5 A. Not necessarily.          6 Q. Who else could make that          7 determination?          8 A. I'm not sure that was within          9 our area that we could do that.          10 Q. When you say "our area,"          11 whose area?          12 A. The DC, the department doing          13 the picking.          14 Q. So the distribution center          15 itself did not determine whether orders          16 deviated substantially from a normal          17 pattern?          18 MR. LAVELLE: Object to          19 form.          20 THE WITNESS: The orders          21 were generated. It came down          22 electronically. And we would pick          23 what was lit up to pick.          24 I'm not sure that that was</p>
<p style="text-align: right;">Page 115</p> <p>1 from a normal pattern?          2 A. I'm not sure.          3 Q. Did you ever determine          4 whether an order deviated from a normal          5 pattern yourself?          6 MR. LAVELLE: Object to          7 form.          8 THE WITNESS: I'm not sure          9 how to answer that. The orders          10 came down to us that were --          11 electronically.          12 So I'm not sure how to          13 answer that.          14 BY MR. POWERS:          15 Q. Who would determine whether          16 an order was deviating substantially from          17 a normal pattern?          18 A. I'm not sure.          19 Q. Would it be the pickers who          20 would have to determine that?          21 A. Oh, okay. While a picker is          22 picking and they see something unusual,          23 even if it's within the threshold, yes,          24 they would.</p>	<p style="text-align: right;">Page 117</p> <p>1 something that we could detect.          2 BY MR. POWERS:          3 Q. Who would detect that?          4 A. I believe it could -- I'm          5 not sure.          6 Give me -- let me read this          7 again.          8 We Pick to Lights. So I'm          9 not sure that we would know a pattern,          10 because we only pick what is generated          11 from the system.          12 Q. And when you say "we,"          13 you're referring to the distribution          14 center employees?          15 A. The pickers, the people          16 doing the picking.          17 Q. How about the next one          18 there, orders of unusual frequency?          19 Do you see that in Paragraph          20 Number 2?          21 A. Yes.          22 Q. Who would be responsible for          23 recognizing orders of unusual frequency?          24 A. To my knowledge, the orders</p>

<p style="text-align: right;">Page 118</p> <p>1 could only generate through the          2 replenishment system. So I don't know          3 how to answer that.          4 There are only -- the orders          5 only come down guided by the          6 replenishment or the corporate system.          7 So they would determine the frequency of          8 what we were picking.          9 Q. Okay. I understand that the          10 replenishment system generates the          11 orders, right?          12 A. Yes.          13 Excuse me. I'm not sure          14 it's just replenishment, but --          15 Q. The orders get generated by          16 a system?          17 A. Yes.          18 Q. Okay. By the Rite Aid          19 ordering system, we'll call it.          20 Is that okay?          21 A. Okay.          22 Q. So the Rite Aid ordering          23 system generates orders that go to the          24 DC, right?</p>	<p style="text-align: right;">Page 120</p> <p>1 THE WITNESS: I didn't know          2 that's what you just asked me.          3 BY MR. POWERS:          4 Q. So my question was, the DC          5 employees were not able to identify          6 orders that deviated substantially from a          7 normal pattern, right?          8 MR. LAVELLE: Object to          9 form.          10 THE WITNESS: Can you repeat          11 that?          12 BY MR. POWERS:          13 Q. Sure.          14 The DC employees were not          15 able to identify orders that deviated          16 substantially from a normal pattern,          17 correct?          18 MR. LAVELLE: Object to          19 form.          20 THE WITNESS: Only as I          21 stated before.          22 BY MR. POWERS:          23 Q. What did you state before?          24 Sorry.</p>
<p style="text-align: right;">Page 119</p> <p>1 A. Yes.          2 Q. And the DC center -- the          3 distribution center employees, are they          4 able to identify orders of unusual          5 frequency?          6 A. As I am understanding it,          7 no.          8 Q. Are the DC employees able to          9 identify orders that deviate          10 substantially from a normal pattern?          11 MR. LAVELLE: Object to          12 form. Objection. Asked and          13 answered.          14 THE WITNESS: That's what I          15 was going to say, that's what I          16 was talking about earlier.          17 BY MR. POWERS:          18 Q. And your answer earlier was          19 that the DC employees were not able to          20 identify orders that deviated          21 substantially from a normal pattern,          22 right?          23 MR. LAVELLE: Object to          24 form.</p>	<p style="text-align: right;">Page 121</p> <p>1 MR. LAVELLE: Object to          2 form.          3 THE WITNESS: Do I answer?          4 MR. POWERS: You can go          5 ahead and answer.          6 THE WITNESS: When I stated          7 that they -- while they were          8 picking, if they saw a quantity          9 that looked like it was too much,          10 even though it was within the          11 threshold, that's what I meant          12 when they can --          13 BY MR. POWERS:          14 Q. But that goes to the size of          15 the order, correct?          16 MR. LAVELLE: Object to          17 form.          18 THE WITNESS: The -- repeat          19 that again.          20 BY MR. POWERS:          21 Q. You said that the pickers,          22 if they saw a quantity that looked like          23 it was too much.          24 So you're talking about the</p>

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1 size of the order there, right?  
2 MR. LAVELLE: Object to  
3 form.  
4 THE WITNESS: The quantity,  
5 yes.  
6 BY MR. POWERS:  
7 Q. But the distribution center  
8 employees would not have an ability to --  
9 have an ability to notice whether the  
10 orders coming through the ordering system  
11 were deviating from a normal pattern,  
12 right?  
13 MR. LAVELLE: Object to  
14 form.  
15 THE WITNESS: I believe I  
16 stated before, no, I don't believe  
17 we would be able to.  
18 BY MR. POWERS:  
19 Q. And when you say "we," you  
20 mean the distribution center employees?  
21 A. Yes.  
22 MR. LAVELLE: Counsel, we've  
23 been going for over an hour. Can  
24 we take a break?

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1 MR. POWERS: I have a couple  
2 more questions on this document,  
3 and then we can take a break. Is  
4 that all right?  
5 Is that okay with you?  
6 THE WITNESS: Yes.  
7 BY MR. POWERS:  
8 Q. In Paragraph 3 there, it  
9 says, A review is performed to determine  
10 the legitimacy of the order.  
11 Do you see that?  
12 A. Yes.  
13 Q. Who performed that review?  
14 A. Okay. This is -- in what  
15 respect?  
16 Q. I'm just asking what it  
17 means when it says on this page, A review  
18 is performed to determine the legitimacy  
19 of the order?  
20 What does that mean?  
21 A. Well, on this page, it's  
22 saying it's a suspicious order. So a  
23 review would be determined if it were a  
24 suspicious order.

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1 Q. How do you determine whether  
2 it's a suspicious order?  
3 A. I'm drawing a blank. I'm  
4 sorry.  
5 What was the question?  
6 Q. So you said a review would  
7 be determined if it were a suspicious  
8 order.  
9 I'm asking, how do you  
10 determine whether something is a  
11 suspicious order or not?  
12 A. If an order came down that  
13 was large and we called and whatever --  
14 let's see here.  
15 Okay. When the orders came  
16 down, we would check on the quantity if  
17 it was too large. And we never had a  
18 suspicious order, that's why I'm having a  
19 little bit of a problem here.  
20 I don't know. I'm drawing a  
21 blank right now.  
22 Q. So this page we've been  
23 looking at here, Page 14828, is this  
24 procedure outlined in this document how

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1 to determine whether an order is  
2 suspicious?  
3 A. I believe so. It's to  
4 detect suspicious orders.  
5 Q. So then moving back to  
6 Paragraph 3, it says, A review is  
7 performed to determine the legitimacy of  
8 the order, right?  
9 I'm just asking who did that  
10 review.  
11 A. When we had -- when the  
12 order came down, it was too much, the  
13 pickers would call the stores.  
14 Q. And is that the review  
15 referred to in Paragraph 3 here?  
16 A. If -- I'm not sure how to  
17 answer this. If something would have  
18 come up that just didn't, you know,  
19 didn't seem right, then it would have  
20 been reviewed or elevated.  
21 Q. But that's my question.  
22 Who would have done that  
23 review?  
24 A. I guess it would start with

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1 the lead or the coordinator, department  
2 manager.  
3 Q. Did you personally do any  
4 reviews like you are talking about?  
5 A. I'm not sure I understand  
6 what you mean by "review."  
7 Q. I'm talking about when you  
8 referred to an order coming in that  
9 looked unusual for any way -- for any  
10 reason, and you said a review was done,  
11 right?  
12 A. No. I said that we called  
13 the store to verify it.  
14 Q. So calling the store to  
15 verify the order is different than the  
16 review outlined here in Paragraph 3 in  
17 Exhibit-3?  
18 MR. LAVELLE: Object to  
19 form.  
20 BY MR. POWERS:  
21 Q. Is that right?  
22 A. What was that?  
23 Q. So we've been talking about  
24 the first sentence of Paragraph 3, which

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1 says, A review is performed to determine  
2 the legitimacy of the order.  
3 Do you see that?  
4 A. Yes.  
5 Q. Is that review talked about  
6 in that sentence different than calling  
7 the store that placed the order?  
8 MR. LAVELLE: Object to  
9 form.  
10 THE WITNESS: I'm not sure  
11 how to answer it. I don't know.  
12 BY MR. POWERS:  
13 Q. Did you do anything else  
14 when an order came in over threshold  
15 besides call the store?  
16 A. If it -- repeat that.  
17 Q. Did you do anything else  
18 when an order came in over threshold  
19 besides call the store that placed the  
20 over-threshold order?  
21 A. I don't remember.  
22 Q. And just to be clear, you  
23 don't remember doing anything besides  
24 calling the store; is that right?

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1 MR. LAVELLE: Object to  
2 form.  
3 THE WITNESS: I'm saying I  
4 don't remember if we did anything  
5 else.  
6 BY MR. POWERS:  
7 Q. In Paragraph 4 there, it  
8 says, An order which is determined to be  
9 suspicious will be immediately reported  
10 to the corporate office, who will notify  
11 the local DEA field division office of  
12 the Administration.  
13 Do you see that?  
14 MR. LAVELLE: Object to  
15 form.  
16 THE WITNESS: I see it.  
17 BY MR. POWERS:  
18 Q. During your time at Rite  
19 Aid, no order was ever determined to be  
20 suspicious; is that right?  
21 A. I don't recall any.  
22 Q. And then Paragraph 5 there  
23 says, If a suspicious order is reported  
24 to corporate, the corporate Government

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1 Affairs will determine whether to, quote,  
2 ship, unquote, or, quote, do not ship,  
3 unquote.  
4 Do you see that?  
5 A. Yes.  
6 Q. I take it, then, if you  
7 never had any suspicious orders, you  
8 never got a decision from the corporate  
9 Government Affairs Office whether to ship  
10 or do not ship; is that right?  
11 A. Yes.  
12 Q. Do you know who at  
13 Government Affairs would have made a  
14 decision to ship or not ship?  
15 A. I am not sure. Probably  
16 Janet Hart.  
17 Q. Paragraph 6 there on Page  
18 14828, says, All discussions,  
19 investigations and reports will be  
20 maintained in the file designated, quote,  
21 suspicious orders.  
22 Do you see that?  
23 A. Yes.  
24 Q. Where is that file kept?

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1 A. I'm confused. We didn't  
2 have any, so there wasn't a file.  
3 Q. So there was no file, to  
4 your knowledge, that was designated a  
5 suspicious order file during your time at  
6 Rite Aid; is that right?  
7 A. That I can recall.  
8 MR. POWERS: Okay. We can  
9 take a break now.  
10 VIDEO TECHNICIAN: The time  
11 is now 11:54 a.m. We are going  
12 off the record.  
13 - - -  
14 (Whereupon, a luncheon  
15 recess was taken.)  
16 - - -  
17 VIDEO TECHNICIAN: The time  
18 is now 12:40 p.m. We are back on  
19 the record.  
20 BY MR. POWERS:  
21 Q. Welcome back, Ms. Wood.  
22 A. Thank you.  
23 - - -  
24 (Whereupon, Rite Aid-Wood

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1 Exhibit-4,  
2 Rite\_Aid\_OMDL\_0016253-255, was  
3 marked for identification.)  
4 - - -  
5 BY MR. POWERS:  
6 Q. I'm going to hand you what  
7 has been marked as Wood Exhibit -- sorry,  
8 you can put that to the side -- Wood  
9 Exhibit-4, which is Bates numbered  
10 Rite\_Aid\_OMDL\_0016253 through 6255.  
11 Take a look at that  
12 document.  
13 Are you familiar with the  
14 document in Exhibit-4?  
15 A. Yes.  
16 Q. What is the document in  
17 Exhibit-4?  
18 A. It's a controlled drug  
19 above-average order monitoring program.  
20 Q. Did you author this  
21 document?  
22 A. I believe so.  
23 Q. Why did you author this  
24 document?

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1 A. As a training tool.  
2 Q. Do you know when the first  
3 version of this document in Exhibit-4 was  
4 first written by you?  
5 MR. LAVELLE: Object to  
6 form.  
7 THE WITNESS: I believe once  
8 I became DEA coordinator, I used  
9 it as a training -- created them  
10 as training tools.  
11 BY MR. POWERS:  
12 Q. And was that during your  
13 first stint in the pharmacy department?  
14 A. Yes.  
15 Q. And who would you use this  
16 document in Exhibit-4, the controlled  
17 drug above-average order monitoring  
18 program, to train with?  
19 Who would you train with  
20 this document here in Exhibit-4?  
21 A. Okay. The employee  
22 working -- that was going to work in the  
23 cage.  
24 Q. So you would use this

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1 document in Exhibit-4 to train all of the  
2 employees that would have worked in the  
3 controlled drug cage at the Perryman  
4 distribution center; is that right?  
5 A. Yes.  
6 Q. And it looks like there are  
7 signature pages on the -- or a signature  
8 page on the last page of Exhibit-4.  
9 Is that something you would  
10 get signed after the training?  
11 A. Yes.  
12 Q. And when you say you use  
13 this in training the controlled cage  
14 employees, how would you use this  
15 document?  
16 MR. LAVELLE: Object to  
17 form.  
18 THE WITNESS: When we were  
19 training, we would use -- we would  
20 give them this form to read, and  
21 then explain it.  
22 Once we were sure they  
23 understood, we would have them  
24 sign it.



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1 BY MR. POWERS:  
2 Q. And when you first authored  
3 this document in Exhibit-4, what did you  
4 rely on to put this document together?  
5 A. My knowledge and the  
6 threshold and what we would do to monitor  
7 these.  
8 Q. How did you gain your  
9 knowledge about what should go in this  
10 document in Exhibit-4?  
11 A. I'm not sure. I'm sure  
12 other tools, but I don't remember  
13 exactly.  
14 Q. Do you remember anything you  
15 used to inform you about what to put in  
16 this particular document in Exhibit-4?  
17 A. Well, I know I used the  
18 threshold numbers to put in here.  
19 Probably -- I'm not sure.  
20 Q. Did you consult any  
21 documentation to put -- to write the  
22 exhibit here in Exhibit-4?  
23 MR. LAVELLE: Object to  
24 form.

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1 THE WITNESS: I'm not -- I  
2 don't remember.  
3 BY MR. POWERS:  
4 Q. Did you refer to any  
5 documents produced by or written by  
6 Buzzeo to put together Exhibit-4?  
7 A. I don't remember.  
8 Q. Did you talk to anyone about  
9 what should be in this controlled drug  
10 order -- controlled drug above-average  
11 order monitoring program document?  
12 A. I don't remember.  
13 Q. Did you talk to Janet Hart  
14 about what should be included in this  
15 document in Exhibit-4?  
16 A. I don't remember.  
17 Q. You don't remember talking  
18 to anyone about what should be put in  
19 here?  
20 MR. LAVELLE: Object to  
21 form.  
22 THE WITNESS: I don't  
23 remember specifically, because it  
24 was a long time ago.

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1 BY MR. POWERS:  
2 Q. When you put this written  
3 document together in Exhibit-4, was it  
4 just a written articulation of the  
5 policies that were already in place?  
6 A. Can you repeat that?  
7 Q. Sure.  
8 When you put this controlled  
9 drug above-average order monitoring  
10 program document reflected in Exhibit-4  
11 together, when you wrote it, was it just  
12 an articulation, meaning just writing  
13 down the policies that you were already  
14 following at that time?  
15 MR. LAVELLE: Object to  
16 form.  
17 THE WITNESS: This was made  
18 to be put in layman's terms for  
19 the pickers to follow.  
20 BY MR. POWERS:  
21 Q. Was it somewhere else  
22 written -- was the information in  
23 Exhibit-4 somewhere else not in layman's  
24 terms?

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1 A. I'm not sure how to answer  
2 that. But a lot -- some of these  
3 documents could be confusing, and we  
4 tried to make it as simplistic as  
5 possible so that it would -- for  
6 learning, you know, for -- easier for  
7 them to learn and understand.  
8 Q. I guess what I'm asking,  
9 though, is, was this document new when  
10 you first wrote it? Was this a new  
11 procedure?  
12 MR. LAVELLE: Object to  
13 form.  
14 THE WITNESS: Only as I  
15 rewrote it. We did have a policy,  
16 but this is -- I rewrote it as a  
17 training tool.  
18 BY MR. POWERS:  
19 Q. You said you had a policy.  
20 Was that policy written  
21 anywhere before this document in  
22 Exhibit-4?  
23 A. I don't remember.  
24 Q. The first paragraph, in all



<p style="text-align: right;">Page 138</p> <p>1 caps there, says, The person who picks a          2 controlled drug order is responsible for          3 alerting the supervisor on duty of          4 unusually high order quantities.          5 Do you see that?          6 A. Yes.          7 Q. How did you explain, when          8 you were using this as a training          9 document, what constituted an unusually          10 high order quantity?          11 A. As I recall, it would have          12 been -- it would have been large amounts          13 over the threshold.          14 Q. Any other criteria, besides          15 being above the threshold, to determine          16 what is an unusually high order?          17 A. Can you repeat that?          18 Q. Were there any other          19 criteria, besides being above the          20 threshold, used to determine what          21 constituted an unusually high order          22 quantity?          23 A. I believe it was mainly          24 anything above the threshold or anything</p>	<p style="text-align: right;">Page 140</p> <p>1 being picked for and immediately contact          2 the pharmacy manager or pharmacist on          3 duty to verify the ordered quantity.          4 Do you see that?          5 A. Yes.          6 Q. So this is referring to an          7 order that comes in over the thresholds,          8 and then a call is supposed to be placed          9 to that particular pharmacy that ordered          10 it, right?          11 MR. LAVELLE: Object to          12 form.          13 THE WITNESS: A call would          14 be placed if it could be placed.          15 BY MR. POWERS:          16 Q. When could it not be placed?          17 A. Usually, during the night          18 shift.          19 Q. So is that if a store put in          20 an order at the end of the day and then          21 the order is being picked overnight, the          22 pharmacy -- excuse me, the distribution          23 center would not be able to contact that          24 pharmacy; is that right?</p>
<p style="text-align: right;">Page 139</p> <p>1 that seemed too high.          2 Q. When you say "seemed too          3 high," who made that determination?          4 A. The picker.          5 Q. What was the picker supposed          6 to rely on to make the determination if          7 something was too high?          8 A. As I stated earlier, as          9 they're picking and something picks at a          10 certain amount and then all of a sudden          11 there's five times that, that would          12 trigger them to think, I wonder if this          13 is -- you know, if this is too much or          14 whatever. And they would call on it.          15 Q. But there wasn't a set          16 criteria for that, right?          17 A. No.          18 Q. It's just what the picker          19 thought might be unusual?          20 A. At that time, yes.          21 Q. In the first paragraph          22 there, it says, in the second sentence,          23 The associates will look up the tote          24 number to identify the store the order is</p>	<p style="text-align: right;">Page 141</p> <p>1 A. In the -- at night when they          2 pick, no, they couldn't, because the          3 stores would be closed. But they would          4 short it to the allowed threshold.          5 Q. So if it came in and they          6 were picking the order overnight, they          7 wouldn't wait until the morning to call          8 the pharmacy, would they?          9 A. It depends. But they have          10 to -- each order has to be completed          11 before they could go on. So they would          12 have to pick it complete.          13 And then if it's really          14 high, they would set it aside for us to          15 check on.          16 Q. When you say "us," who are          17 you referring to?          18 A. The early -- the morning          19 shift.          20 Q. Did that ever happen, in          21 your experience?          22 A. I vaguely remember, yes.          23 Q. How often, when an order was          24 picked overnight, would it be left for</p>

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1 the morning shift to then call the  
2 pharmacy about?  
3 A. Not very often. Only if it  
4 was unusual or --  
5 Q. But most of the time they  
6 would just cut it down to the threshold  
7 and ship it --  
8 A. It would be --  
9 Q. -- without calling the  
10 pharmacy; is that right?  
11 MR. LAVELLE: Just wait  
12 until the question is finished  
13 before you answer the question.  
14 THE WITNESS: Yes.  
15 BY MR. POWERS:  
16 Q. And it says here, If you are  
17 able to call the pharmacy manager or  
18 pharmacists, the person was to verify the  
19 ordered quantity.  
20 Do you see that?  
21 A. Where is that?  
22 Q. I'm sorry. It's the last --  
23 looking at the same sentence, the last  
24 sentence of the first non-capitalized

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1 paragraph. It's on the screen here, too.  
2 A. I'm sorry.  
3 Q. That's okay.  
4 A. Okay.  
5 Q. It says they were supposed  
6 to -- the pharmacy manager or pharmacist  
7 was supposed to be contacted to verify  
8 the ordered quantity.  
9 Do you see that, where we  
10 are now?  
11 A. Yes.  
12 Q. Who would make that call to  
13 verify the order quantity?  
14 A. The picker.  
15 Q. Would you ever make those  
16 calls?  
17 A. Yes, on occasion.  
18 Q. Why would you make those  
19 calls instead of the picker?  
20 A. If they were extremely busy.  
21 Q. Were the pickers often  
22 extremely busy?  
23 A. We were busy. I mean, I  
24 don't know -- most of the time they were

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1 done by the picker.  
2 Q. And the picker was just  
3 trying to make sure that the amount that  
4 the store ordered was correct when they  
5 called the pharmacy about the  
6 over-threshold order, right?  
7 A. Repeat that.  
8 Q. When the picker called to  
9 verify the ordered quantity, they were  
10 just calling to see whether that quantity  
11 was correct when it was entered into the  
12 system by the pharmacy, right?  
13 A. Yes.  
14 Q. Then the next paragraph  
15 there says, If the store verifies the  
16 quantity is correct, the associate  
17 notifies them that we cannot send more  
18 than 50 units. This amount is being  
19 based on a six-week average movement test  
20 of all controlled drugs.  
21 Do you see that?  
22 A. Yes.  
23 Q. What is the average --  
24 six-week average movement test of all

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1 controlled drugs?  
2 A. That was conducted by  
3 corporate.  
4 Q. Who at corporate conducted  
5 that?  
6 A. I believe it was -- I  
7 believe it was Janet's team, but I'm not  
8 positive.  
9 Q. Even though Janet's team may  
10 have been the one conducting that average  
11 movement test, do you know what that  
12 average movement test consisted of?  
13 MR. LAVELLE: Object to  
14 form.  
15 THE WITNESS: I'm not  
16 positive, except for what it says  
17 here, it was based on the  
18 movement, average movement.  
19 BY MR. POWERS:  
20 Q. In your understanding, what  
21 does "the average movement" refer to  
22 here?  
23 A. What the average sales for  
24 the store had.

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1 Q. The threshold was the same  
2 for all Rite Aid stores that you  
3 distributed to from the Perryman  
4 distribution center, right?  
5 A. There were a few exceptions.  
6 Q. Besides those few  
7 exceptions, it was all the same  
8 threshold, right?  
9 A. I believe, yes.  
10 Q. So you wrote this document,  
11 and you did not know what the average  
12 movement test was; is that right?  
13 MR. LAVELLE: Object to  
14 form. Objection. Asked and  
15 answered.  
16 BY MR. POWERS:  
17 Q. You can answer.  
18 A. Can you repeat that?  
19 Q. Sure.  
20 You testified that you wrote  
21 this form in Exhibit-4, right?  
22 A. Yes.  
23 Q. But you also testified that  
24 you don't know what the six-week average

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1 movement test of all controlled drugs is,  
2 right?  
3 MR. LAVELLE: Object to  
4 form.  
5 THE WITNESS: What I said --  
6 what I believe I said was this was  
7 conducted by Janet's people. And  
8 for me to write it here, I got  
9 that information from them.  
10 BY MR. POWERS:  
11 Q. Did you ever come to an  
12 understanding of what that test was and  
13 how it was conducted?  
14 A. The only thing I know is  
15 that it was based on a six-week average  
16 movement. Because that's what I was  
17 told.  
18 Q. Did you ever ask what a  
19 six-week average movement was?  
20 A. I don't believe so.  
21 Q. Then on the second page of  
22 Exhibit-4, the Bates 16254, is that the  
23 place in this document where you were  
24 noting the exceptions to those blanket

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1 thresholds we were talking about?  
2 MR. LAVELLE: Object to  
3 form.  
4 THE WITNESS: Repeat it.  
5 BY MR. POWERS:  
6 Q. You said there were a couple  
7 stores that had exceptions to the  
8 universal threshold that Rite Aid had  
9 when it was distributing controlled  
10 substances, right?  
11 A. Yes.  
12 Q. Are those exceptions the  
13 ones noted here on the second page of  
14 Exhibit-4?  
15 A. I can't say these were all  
16 the exceptions. These were the  
17 exceptions at that time this was written.  
18 Q. But that's where the  
19 exceptions would have been noted?  
20 A. Repeat that.  
21 Q. But the second page of  
22 Exhibit-4 would be where the exceptions  
23 to the blanket threshold would have been  
24 noted; is that right?

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1 A. One of the places.  
2 Q. Where else would they have  
3 been noted?  
4 A. There -- we had little  
5 posters that we put in sleeves and put  
6 them along the Pick to Light in the  
7 replenishment area.  
8 Q. Anywhere else?  
9 A. Or verification area.  
10 Q. Anywhere else?  
11 A. I'm not sure.  
12 Q. Back to the first page of  
13 Exhibit-4, the very first sentence in the  
14 first lower-case paragraph there.  
15 It says, When the Pick to  
16 Light indicates quantities greater than  
17 50 pieces of an item with a tab count of  
18 100 or liquids, 10-tab count of 500, 5  
19 for tab count of 1,000, the pick is  
20 automatically stopped.  
21 Do you see that?  
22 A. Yes.  
23 Q. Is that the threshold you're  
24 talking about?

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1 A. Yes.  
2 Q. And it looks like here  
3 you're describing the threshold in terms  
4 of tab counts, right?  
5 A. It's based -- it's actually  
6 the selling units, 50 selling units or 5  
7 selling units.  
8 Q. I'm sorry, I've never heard  
9 the term "selling units" before.  
10 Can you explain what that  
11 is?  
12 A. The 50 -- it's for the --  
13 okay. 50 pieces of the -- of an item  
14 would be 50 selling units. It's not 50  
15 pills, it's 50 selling units.  
16 Q. So a selling unit could be  
17 like a bottle of --  
18 A. Yes.  
19 Q. -- 100 pills?  
20 MR. LAVELLE: Please wait  
21 until the question is finished  
22 before you answer it.  
23 THE WITNESS: Sorry.  
24 MR. LAVELLE: That's okay.

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1 THE WITNESS: Yes.  
2 MR. LAVELLE: It's okay.  
3 BY MR. POWERS:  
4 Q. So is the threshold based in  
5 selling units or was it based in  
6 something else?  
7 A. The threshold was based by  
8 the movement of the item. And we put it  
9 down into the pickers' selling units.  
10 Q. And you said before that all  
11 the people who worked in the controlled  
12 drug cage would have had to sign this  
13 particular document, as reflected in  
14 Exhibit-4.  
15 Was anyone ever disciplined  
16 for not following the procedures outlined  
17 in Exhibit-4?  
18 A. I don't recall.  
19 Q. Is that -- is following the  
20 procedures outlined in Exhibit-4  
21 something that the pickers would have  
22 been evaluated on in their job  
23 assessments?  
24 A. They would have been

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1 evaluated on their performance, which all  
2 procedures are part of.  
3 Q. So they would have been  
4 evaluated on how well they adhered to  
5 this controlled drug above-average order  
6 monitoring program, but you're not aware  
7 of anyone who was actually disciplined  
8 for not following it, right?  
9 MR. LAVELLE: Object to  
10 form.  
11 THE WITNESS: I don't  
12 recall. There -- can you repeat  
13 your question?  
14 BY MR. POWERS:  
15 Q. You don't recall anyone  
16 being disciplined for not following the  
17 above-average order monitoring program,  
18 as reflected in Exhibit-4; is that right?  
19 MR. LAVELLE: Object to  
20 form. Objection. Asked and  
21 answered.  
22 THE WITNESS: Not that I  
23 recall.  
24 BY MR. POWERS:

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1 Q. You can put that exhibit  
2 aside.  
3 - - -  
4 (Whereupon, Rite Aid-Wood  
5 Exhibit-5,  
6 Rite\_Aid\_OMDL\_0009868-877, was  
7 marked for identification.)  
8 - - -  
9 BY MR. POWERS:  
10 Q. I'm going to hand you what  
11 we marked as Exhibit-5, which is Bates  
12 number Rite\_Aid\_OMDL\_0009868 through  
13 9877.  
14 Go ahead and take a look at  
15 that document.  
16 In the first page of  
17 Exhibit-5, it looks like this is an  
18 e-mail chain. And at the bottom there,  
19 Kimberly Brown is forwarding you an  
20 e-mail with the subject line, Cage trash  
21 procedure.  
22 And it says, Marian, please  
23 forward any cage procedures that apply to  
24 IB to Brian Sordillo.

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1 Do you see that?

2 A. Yes.

3 Q. Who is Kimberly Brown?

4 A. She was the pharmacy

5 department manager.

6 Q. Would that have been the

7 pharmacy department manager for Perryman?

8 A. Yes.

9 Q. Did she have responsibility

10 for any other distribution center besides

11 Perryman?

12 A. Not to my knowledge.

13 Q. And who is Brian Sordillo?

14 A. According to this, he was

15 the inbound manager.

16 Q. So "IB" means inbound?

17 A. Yes.

18 Q. And that would have been

19 also someone who worked at the Perryman

20 facility?

21 A. Yes.

22 Q. And then you reply, in the

23 top e-mail there, to Brian Sordillo and

24 Kim Brown, and you say, Brian, I am in

Page 155

1 the process of updating/completing our

2 files. I am attaching the procedures

3 that I need the following people to sign

4 and return to me. I need all four

5 procedures from each of these folks. If

6 they have access to the cage, they need

7 to know these procedures.

8 Do you see that?

9 A. Yes.

10 Q. And it looks like underneath

11 the heading of this e-mail, there's a

12 couple of attachments.

13 And it looks like you attach

14 four procedures, right?

15 A. Yes.

16 Q. And these are the four

17 procedures that everyone working in the

18 cage needs to have, correct?

19 MR. LAVELLE: Object to

20 form.

21 THE WITNESS: These

22 particular procedures were just

23 for these people. But anyone in

24 the cage would have these, yes.

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1 BY MR. POWERS:

2 Q. Are these four procedures

3 the entirety of the procedures that

4 anyone in the cage would need to have had

5 read and signed?

6 MR. LAVELLE: Object to

7 form.

8 THE WITNESS: Okay. Can you

9 repeat that?

10 BY MR. POWERS:

11 Q. Are these four procedures

12 here on this e-mail as attachments the

13 only four procedures that everyone in the

14 cage would have needed to have read and

15 signed?

16 MR. LAVELLE: Object to

17 form.

18 THE WITNESS: No.

19 Can I explain this?

20 BY MR. POWERS:

21 Q. Sure.

22 A. Okay. These four were given

23 to the receivers because they are the

24 only ones that would -- that they would

Page 157

1 have anything to do with.

2 Q. So there's other procedures

3 that people working in the cage would

4 have needed to have read and signed

5 besides these four procedures; is that

6 right?

7 A. Yes.

8 Q. What other procedures would

9 they have needed to have read and signed?

10 MR. LAVELLE: Object to

11 form.

12 THE WITNESS: I can't say

13 exactly. I can give you some.

14 BY MR. POWERS:

15 Q. Sure.

16 A. Picking procedures;

17 replenishment procedures; order

18 monitoring procedures; the trash is here;

19 exit.

20 I believe there were others,

21 I just don't remember exactly.

22 Q. How come these people

23 identified in Exhibit-5 would not need to

24 have looked at the, or beyond looked,



<p style="text-align: right;">Page 158</p> <p>1 needed to have read and signed the  2 above-average order monitoring  3 procedures?  4 MR. LAVELLE: Object to  5 form.  6 THE WITNESS: They didn't  7 have anything to do with picking.  8 They only received product.  9 BY MR. POWERS:  10 Q. So only the pickers would  11 have needed to have read and signed the  12 above-average monitoring procedures that  13 we just talked about in Exhibit-4?  14 A. All regular cage personnel.  15 The receivers only needed to know these  16 things.  17 Q. I'm going to direct your  18 attention to the Bates number 9874 in  19 Exhibit-5, which is the document  20 entitled, Drug Diversion Training.  21 Do you see that?  22 A. Yes.  23 Q. Who wrote this document?  24 A. I prepared it.</p>	<p style="text-align: right;">Page 160</p> <p>1 regulatory compliance, I believe.  2 Q. Was that the manual we  3 talked about earlier today?  4 A. Yes. I believe, yes.  5 Q. When you put together the  6 drug diversion training document here in  7 Exhibit-5, what did you use to put this  8 document together?  9 A. I used the CFR, which is the  10 Code of Federal Regulations.  11 Q. Anything else besides the  12 CFR?  13 A. This almost entire thing  14 came out of the CFR.  15 Q. That wasn't really my  16 question, though.  17 Did you use anything besides  18 the CFR to put this document together?  19 A. I don't remember. I don't  20 think so.  21 Q. Did you talk to anyone about  22 putting this document together?  23 A. I believe I would have  24 talked to Kevin.</p>
<p style="text-align: right;">Page 159</p> <p>1 Q. Did you prepare all the  2 procedures contained in Exhibit-5?  3 A. Yes, I believe so.  4 Q. Going back to the drug  5 diversion training, the Bates number 9874  6 and 9875, when did you prepare this  7 document first?  8 A. That would have been in the  9 beginning.  10 Q. When is "the beginning"?  11 A. When I started in the cage  12 and creating the documents.  13 Q. Why were you the person who  14 was tasked with preparing this document?  15 A. I'm not sure. I wanted to  16 have something that -- I just wanted to  17 have these for training purposes.  18 Q. Did any training documents  19 exist about drug diversion before you  20 created this document with Bates 9874 to  21 9875?  22 A. Yes.  23 Q. What were those documents?  24 A. It was the regulatory -- DEA</p>	<p style="text-align: right;">Page 161</p> <p>1 Q. Anyone besides Kevin?  2 A. I don't remember.  3 Q. So on the Page 9875, the  4 last paragraph there says, It is the  5 position of the DEA that employees who  6 possess, sell, use or divert controlled  7 substances will be subject themselves not  8 only to state or federal prosecution for  9 any illicit activity, but also shall  10 immediately become the subject of  11 independent action by their employer. It  12 is the policy of Rite Aid that any  13 associate that engages in prohibited  14 conduct is subject to disciplinary  15 action, including suspension or  16 termination of employment.  17 Do you see that?  18 A. Yes, sir.  19 Q. Do you know if anyone at  20 Rite Aid, to the best of your personal  21 knowledge, was ever subject to  22 disciplinary action because of the  23 activities described in this particular  24 training?</p>



<p style="text-align: right;">Page 162</p> <p>1 MR. LAVELLE: Object to 2 form. 3 THE WITNESS: I don't recall 4 anyone being -- what was -- can 5 you repeat the question? 6 BY MR. POWERS: 7 Q. It says that it is the 8 policy of Rite Aid that any associate 9 that engages in prohibited conduct is 10 subject to disciplinary action. 11 Do you know of anyone, 12 during your time at Rite Aid, that was 13 subject to disciplinary action because of 14 the prohibited conduct explained in this 15 drug diversion training? 16 A. Not that I recall. 17 Q. These trainings we've been 18 talking about, the drug diversion 19 training in Exhibit-5, the other 20 procedures in Exhibit-5, where were those 21 signed copies of those procedures kept? 22 A. All signed copies were kept 23 in a file, that person's name in the 24 file, in the DEA office.</p>	<p style="text-align: right;">Page 164</p> <p>1 Q. It's not a trick question. 2 I'm just trying to figure 3 out that the signed drug diversion 4 training sheets, they were organized and 5 filed by person who signed them, right? 6 A. Yes. 7 Q. So there wasn't a file 8 labeled, drug diversion signed sheets, 9 where everyone's drug diversion sheet was 10 in, right? 11 A. I don't think so. 12 Q. But you would be the person 13 who would know that, right? 14 A. It was a long time ago. 15 Q. But you would have -- you 16 would have been the person that kept that 17 file? 18 A. Yes, I believe so. Yes. 19 - - - 20 (Whereupon, Rite Aid-Wood 21 Exhibit-6, 22 Rite_Aid_OMDL_0021630-643, was 23 marked for identification.) 24 - - -</p>
<p style="text-align: right;">Page 163</p> <p>1 Q. So were the files organized 2 by person or by the particular training 3 itself? 4 MR. LAVELLE: Object to 5 form. 6 BY MR. POWERS: 7 Q. You can go ahead. 8 A. The files that I maintained 9 were by person, with a checklist of every 10 procedure and the date they signed it, 11 along with the copy of their -- along 12 with their signature sheet. 13 Q. So if you wanted to figure 14 out all the employees who signed the drug 15 diversion training, you would have to 16 individually go to each individual 17 person's file and collect them that way? 18 There's not a central 19 repository, here are all the drug 20 diversion sheets signed together? 21 MR. LAVELLE: Object to 22 form. 23 THE WITNESS: I'm not sure. 24 BY MR. POWERS:</p>	<p style="text-align: right;">Page 165</p> <p>1 BY MR. POWERS: 2 Q. I'm going to hand you what's 3 been marked as Exhibit-6. And this Bates 4 number is Rite_Aid_OMDL_0021630 through 5 1643. 6 Take a look at that. 7 Are you familiar with the 8 document in Exhibit-6? 9 A. I'm not sure. 10 Q. You don't recall this 11 document at all? 12 A. I don't know. 13 Q. It looks like on the first 14 page there of Exhibit-6, underneath those 15 boxes at the top, it says, Number ADM-23. 16 Do you know what that number 17 reflects? 18 A. I'm not sure. 19 Q. Did Rite Aid refer to 20 different policies and procedures with 21 these ADM numbers? 22 A. I'm not sure. Mainly 23 because this format doesn't look -- I 24 just don't recall it.</p>

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1 Q. Putting aside the formatting  
2 for a second of Exhibit-6, did Rite Aid  
3 have policies and procedures that it  
4 referred to with ADM numbers?  
5 A. It looks vaguely familiar,  
6 but I'm not sure.  
7 Q. It looks to me like this is  
8 a procedure for regulatory inspections.  
9 Does that look like the same  
10 thing to you?  
11 MR. LAVELLE: Object to  
12 form.  
13 THE WITNESS: It says  
14 regulatory inspections.  
15 BY MR. POWERS:  
16 Q. Do you recall having a  
17 policy and procedure for regulatory  
18 inspections while you were at Rite Aid?  
19 A. I'm pretty sure we had one,  
20 yeah.  
21 Q. Does this look like that --  
22 A. I'm not sure.  
23 Q. -- policy -- sorry, let me  
24 just finish my question.

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1 Does this look like that  
2 policy and procedure in its substance,  
3 even if it's not the exact format you  
4 remember?  
5 A. It looks familiar, but I'm  
6 just not -- I'm not sure.  
7 Q. You said you were pretty  
8 sure that you had a policy and procedure  
9 for regulatory inspections while you were  
10 at Rite Aid.  
11 Where was that procedure  
12 kept?  
13 A. It would have been in the  
14 procedural -- the -- I believe the  
15 regulatory compliance procedure.  
16 I know we used one of those  
17 documents to help us train and -- for  
18 inspections.  
19 Q. What is the regulatory  
20 compliance procedure?  
21 A. Excuse me?  
22 Q. I asked where the procedures  
23 for regulatory inspections were kept, and  
24 you said, I believe it would have been

Page 168

1 kept in the regulatory compliance  
2 procedure.  
3 A. I misspoke. The regulatory  
4 compliance book.  
5 Q. Is that the same book we  
6 were looking at before?  
7 MR. LAVELLE: Object to  
8 form.  
9 THE WITNESS: I believe so,  
10 but I'm not positive.  
11 BY MR. POWERS:  
12 Q. You can put aside Exhibit-6  
13 for a second.  
14 Going back to Exhibits-4 and  
15 5 --  
16 MR. LAVELLE: You need to  
17 pull up those, please.  
18 BY MR. POWERS:  
19 Q. -- the training materials  
20 that you wrote up --  
21 MR. LAVELLE: 4 and 5.  
22 BY MR. POWERS:  
23 Q. -- that you had the people  
24 sign.

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1 MR. LAVELLE: Here, give  
2 them to me.  
3 All right. 5 and 4.  
4 THE WITNESS: Okay.  
5 MR. LAVELLE: Put these over  
6 by the court reporter. Thank you.  
7 BY MR. POWERS:  
8 Q. When did you go over those  
9 training materials with employees at the  
10 distribution center?  
11 A. When they came into the  
12 cage.  
13 Q. Did you only go over those  
14 policies when they first came into the  
15 cage?  
16 A. Repeat that.  
17 Q. Did you only go over the  
18 policies, as reflected in Exhibits-4 and  
19 5, when the employees first started  
20 working in the controlled drug cage?  
21 A. That's one of the times.  
22 And then we would do, like,  
23 refreshers. We tried to do them at least  
24 once a year to just go over the

Page 170

1 procedures, for ones that had been there  
2 a while.  
3 Q. You said you "tried" to go  
4 over them once a year.  
5 So that means that you  
6 didn't necessarily do it once every year;  
7 is that right?  
8 MR. LAVELLE: Object to  
9 form.  
10 THE WITNESS: I'm not sure.  
11 BY MR. POWERS:  
12 Q. Was there any requirement or  
13 policy that said you had to do  
14 retrainings on those once a year?  
15 A. I don't remember. There  
16 might have been, I just don't remember.  
17 Q. And besides training with  
18 you on those policies that we're talking  
19 about in Exhibits-4 and 5, would the  
20 employees who worked in the controlled  
21 drug cage ever get other training on drug  
22 diversion and above-average order  
23 monitoring procedures from anyone else?  
24 MR. LAVELLE: Object to

Page 171

1 form.  
2 THE WITNESS: If -- when  
3 Debra was the DEA coordinator, she  
4 might have. So she could have as  
5 well.  
6 BY MR. POWERS:  
7 Q. Besides you and Debra, would  
8 anyone else have trained the employees in  
9 the controlled cage on the above-average  
10 order monitoring and drug diversion  
11 policies?  
12 A. I don't think so.  
13 Q. You can put those exhibits  
14 back.  
15 - - -  
16 (Whereupon, Rite Aid-Wood  
17 Exhibit-7,  
18 Rite\_Aid\_OMDL\_0012519-520, was  
19 marked for identification.)  
20 - - -  
21 BY MR. POWERS:  
22 Q. I'm going to hand you what's  
23 been marked as Exhibit-7. And the Bates  
24 number on this exhibit is

Page 172

1 Rite\_Aid\_OMDL\_0012519 through 12520. But  
2 the attachment to this e-mail, the Bates  
3 number, 12520, was actually an Excel  
4 spreadsheet, so it's just the one Bates  
5 number, even though it's multiple pages.  
6 And it looks like the  
7 Exhibit-7 is an e-mail from you to Kim  
8 Brown and copying Debra Chase; is that  
9 right?  
10 A. Yes.  
[REDACTED]

Page 173

[REDACTED]

Page 174

[REDACTED]

Page 176

[REDACTED]

Page 175

[REDACTED]

Page 177

[REDACTED]

Page 178

Page 180

1 13107 is another Excel spreadsheet, so  
2 even though it spans multiple paper  
3 pages, it was a single Bates number  
4 because it was produced as an Excel  
5 spreadsheet.

— — —

(Whereupon, Rite Aid-Wood Exhibit-8, Rite\_Aid\_OMDL\_0013106-107, was marked for identification.)

— — —

BY MR. POWERS:

Q. Take a look at that exhibit and let me know when you're done.

What is the document in

Exhibit-8?

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MR. POWERS: We've been going about an hour. This is actually a good time to break.

VIDEO TECHNICIAN: The time is now 1:30 p.m. We're going off the record.

— — —

(Whereupon, a brief recess was taken.)

— — —

VIDEO TECHNICIAN: The time is now 1:44 p.m. We are back on the record.

BY MR. POWERS:

Q. Welcome back, Ms. Wood.

A. Thank you.

Q. I'm going to hand you what's been marked as Exhibit-8. The Bates number on this document is

Rite\_Aid\_OMDL\_0013106 through 13107. And

Page 182

[REDACTED]

Page 184

[REDACTED]

Page 183

[REDACTED]

Page 185

[REDACTED]



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Page 187

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Page 192

Page 190

Page 192

Page 191

Page 193

Page 191

Page 193

Page 194

[REDACTED]

4 BY MR. POWERS:

5 Q. I'm going to hand you what

6 has been marked as Exhibit-9, which is

7 Bates number Rite\_Aid\_OMDL\_0013110.

8 Take a look at that.

9 - - -

10 (Whereupon, Rite Aid-Wood

11 Exhibit-9, Rite\_Aid\_OMDL\_0013110,

12 with attachment, was marked for

13 identification.)

14 - - -

15 BY MR. POWERS:

[REDACTED]

Page 195

[REDACTED]

Page 196

[REDACTED]

Page 197

[REDACTED]

18 Q. You can put that exhibit

19 aside.

20 - - -

21 (Whereupon, Rite Aid-Wood

22 Exhibit-10,

23 Rite\_Aid\_OMDL\_0003635-671, was

24 marked for identification.)

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1           - - -  
2 BY MR. POWERS:  
3           Q. I'm going to show you a  
4 document that's been now marked as  
5 Exhibit-10. And it's  
6 Rite\_Aid\_OMDL\_0003635 through 3671.  
7           It's got a lot of pages in  
8 here. I'm going to ask you to review the  
9 document, but I'll let you know that I am  
10 going to direct you to a couple  
11 particular places I want to ask questions  
12 about.  
13           What is the document in  
14 front of you as Exhibit-10?  
[REDACTED]

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[REDACTED]

Page 200

[REDACTED]

Page 201

[REDACTED]

Page 202

[REDACTED]

Page 204

[REDACTED]

Page 203

[REDACTED]

Page 205

[REDACTED]

Page 206

[REDACTED]

Page 208

[REDACTED]

Page 207

[REDACTED]

Page 209

[REDACTED]



Page 210

[REDACTED]

Page 212

1 What is the document in  
2 front of you in Exhibit-11?

[REDACTED]

Page 211

[REDACTED]

12 Q. We're done with that  
13 exhibit.  
14 - - -  
15 (Whereupon, Rite Aid-Wood  
16 Exhibit-11,  
17 Rite\_Aid\_OMDL\_0012500-502, was  
18 marked for identification.)  
19 - - -  
20 BY MR. POWERS:  
21 Q. I'm going to hand you what's  
22 been marked as Exhibit-11. The Bates  
23 number on this exhibit is  
24 Rite\_Aid\_OMDL\_0012500 through 2502.

Page 213

[REDACTED]

Page 214

[REDACTED]

Page 216

[REDACTED]

Page 215

[REDACTED]

Page 217

[REDACTED]

3 Q. We're done with that one.

4 - - -

5 (Whereupon, Rite Aid-Wood

6 Exhibit-12,

7 Rite\_Aid\_OMDL\_0046566-567, was

8 marked for identification.)

9 - - -

10 BY MR. POWERS:

11 Q. I'm going to hand you what's

12 been marked as Exhibit-12. It's a

13 document Bates labeled

14 Rite\_Aid\_OMDL\_0046566 to 46567.

[REDACTED]

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[REDACTED]

Page 220

[REDACTED]

Page 219

[REDACTED]

Page 221

[REDACTED]

Page 222

[REDACTED]

Page 224

[REDACTED]

Page 223

[REDACTED]

Page 225

[REDACTED]

Page 226

[REDACTED]

Page 228

[REDACTED]

Page 227

[REDACTED]

Page 229

[REDACTED]

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1 Exhibit-12.  
2 - - -  
3 (Whereupon, Rite Aid-Wood  
4 Exhibit-13, Rite\_Aid\_OMDL\_0015219,  
5 was marked for identification.)  
6 - - -  
7 BY MR. POWERS:  
8 Q. I'm going to hand you what's  
9 been marked as Exhibit-13. It's an  
10 e-mail with the Bates label  
11 Rite\_Aid\_OMDL\_0015219.  
[REDACTED]

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[REDACTED]

Page 232

[REDACTED]

Page 233

[REDACTED]



Page 234

[REDACTED]

Page 236

[REDACTED]

18 MR. POWERS: We can take a  
19 break here.  
20 VIDEO TECHNICIAN: The time  
21 is now 2:44 p.m. We're going off  
22 the record.  
23 - - -  
24 (Whereupon, a brief recess

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[REDACTED]

8 MR. LAVELLE: Wait. He  
9 hasn't asked a question. He's  
10 just explaining what he's doing,  
11 which is asking the same question  
12 over and over again.  
13 When he asks a question,  
14 maybe you can answer it.  
15 BY MR. POWERS:  
[REDACTED]

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1 was taken.)  
2 - - -  
3 VIDEO TECHNICIAN: The time  
4 is now 3:01 p.m. We are back on  
5 the record.  
6 - - -  
7 (Whereupon, Rite Aid-Wood  
8 Exhibit-14,  
9 Rite\_Aid\_OMDL\_0017238-242, was  
10 marked for identification.)  
11 - - -  
12 BY MR. POWERS:  
13 Q. Welcome back, Ms. Wood.  
14 I'm going to hand you what's  
15 been marked as Exhibit-14. It is Bates  
16 stamped number Rite\_Aid\_OMDL\_0017238  
17 through 17242.  
18 Are you familiar with the  
19 e-mail string represented in Exhibit-14?  
20 A. Yes, from what I just read.  
21 Q. When was the last time you  
22 saw this e-mail string?  
23 A. The last time I saw this, I  
24 saw some of it through my lawyer.

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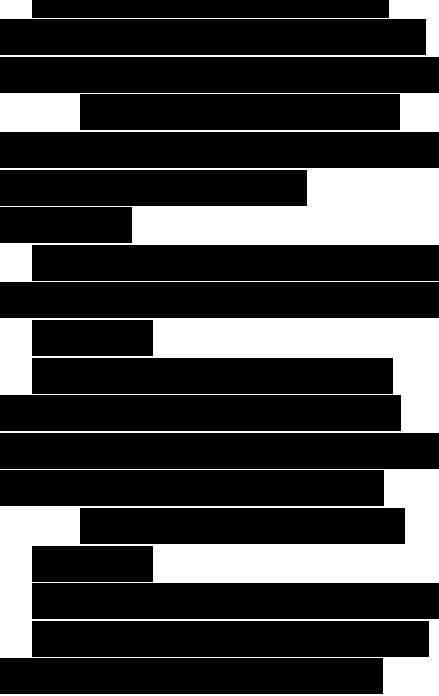
1 Q. And you're pointing to Mr.  
2 Lavelle there?

3      A.    Yes, I'm sorry.

Row	Short Bar Length (approx. %)	Long Bar Length (approx. %)
1	5	85
2	5	100
3	5	80
4	5	15
5	5	45
6	5	85
7	5	100
8	5	15
9	5	75
10	5	85
11	5	55
12	5	80
13	5	95
14	5	100
15	5	85

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1	10
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[REDACTED]

Page 244

[REDACTED]

Page 243

[REDACTED]

Page 245

[REDACTED]

Page 246

Page 248

Page 246

[illegible]

Page 247

Page 249

Page 247

Page 249

1 record.

2 VIDEO TECHNICIAN: The time

3 is now 3:15 p.m. We are going off

4 the record.

5 - - -

6 (Whereupon, a brief recess

7 was taken.)

8 - - -

9 VIDEO TECHNICIAN: The time

10 is now 3:32 p.m. We are back on

11 the record.

12 - - -

13 EXAMINATION

14 - - -

15 BY MR. LAVELLE:

16 Q. Good afternoon, Ms. Wood.

17 John Lavelle, representing Rite Aid.

18 I just have one particular

19 document I wanted to ask you a few

20 questions about, if I may.

21 A. Yes, sir.

22 Q. I want to show you what we

23 marked for identification as Exhibit

24 Wood-15.

Page 250

1           - - -  
2           (Whereupon, Rite Aid-Wood  
3           Exhibit-15,  
4           Rite\_Aid\_OMDL\_0015077-081, was  
5           marked for identification.)  
6           - - -  
7       BY MR. LAVELLE:  
8           Q.   Please take a look at that  
9           and let me know when you're ready to  
10          answer a couple questions about it.  
11          MS. HOSMER: Mr. Lavelle,  
12          can you read the Bates number,  
13          please?  
14          MR. LAVELLE: Yes, I'm  
15          sorry, I should have done that.  
16          It's Rite\_Aid\_OMDL\_0015077 through  
17          15081.  
18       BY MR. LAVELLE:  
19          Q.   Ms. Wood, are you ready to  
20          answer some questions about this?  
21          A.   Yes.  
22          Q.   I've put in front of you  
23          what we marked for identification as  
24          Wood-15. I just gave the Bates Number

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1   range. And it's an e-mail chain with an  
2   attachment.  
3           Do you recognize this?  
4          A.   Yes.  
5          [REDACTED]  
6          [REDACTED]  
7          [REDACTED]  
8          [REDACTED]  
9          [REDACTED]  
10         [REDACTED]  
11         [REDACTED]  
12         [REDACTED]  
13         [REDACTED]  
14         [REDACTED]  
15         [REDACTED]  
16         [REDACTED]  
17         [REDACTED]  
18         [REDACTED]  
19         [REDACTED]  
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23         [REDACTED]  
24         [REDACTED]

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1   [REDACTED]  
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14   [REDACTED]  
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18   [REDACTED]  
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20   [REDACTED]  
21   [REDACTED]  
22   [REDACTED]  
23   [REDACTED]  
24   [REDACTED]

Page 253

1   [REDACTED]  
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16   [REDACTED]  
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24   [REDACTED]



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Page 260

■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]

7 MR. LAVELLE: Thank you, Ms.  
8 Wood. That's all I have.

9 MR. POWERS: I'm just going  
10 to have a few follow-up questions.  
11 I think we need to switch seats  
12 again.

13 VIDEO TECHNICIAN: The time  
14 is now 3:39 p.m. We are going off  
15 the record.

16                      -   -   -

17 (Whereupon, a discussion off  
18 the record occurred.)

19 - - -

20 VIDEO TECHNICIAN: The time  
21 is now 3:40 p.m. We are back on  
22 the record.

23 - - -

24 EXAMINATION

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Page 261

1                    -   -   -

<sup>2</sup> BY MR. POWERS:

3 Q. So, Ms. Wood, your counsel  
4 was just going through Exhibit-15 with  
5 you, right?

6 A. Yes.

■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]  
 ■ [REDACTED]

[REDACTED]  
 [REDACTED]

Category	Value
Category 1	10
Category 2	20
Category 3	30
Category 4	40
Category 5	50

\_\_\_\_\_

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[REDACTED]  
 [REDACTED]  
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 [REDACTED]  
 [REDACTED]

[illegible]



Page 262

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]  
7 [REDACTED]  
8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]  
15 [REDACTED]  
16 MR. POWERS: That's all I  
17 have.  
18  
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1 VIDEO TECHNICIAN: The time  
2 is now 3:43 p.m. This concludes  
3 today's deposition. We're going  
4 off the record.  
5 - - -  
6 (Whereupon, the deposition  
7 concluded at 3:43 p.m.)  
8 - - -  
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1 CERTIFICATE  
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3  
4 I HEREBY CERTIFY that the  
5 witness was duly sworn by me and that the  
6 deposition is a true record of the  
7 testimony given by the witness.  
8  
9  
10  
11 Amanda Maslinsky-Miller  
12 Certified Realtime Reporter  
13 Dated: January 27, 2019  
14  
15  
16  
17  
18  
19 (The foregoing certification  
20 of this transcript does not apply to any  
21 reproduction of the same by any means,  
22 unless under the direct control and/or  
23 supervision of the certifying reporter.)  
24

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1 INSTRUCTIONS TO WITNESS  
2  
3 Please read your deposition  
4 over carefully and make any necessary  
5 corrections. You should state the reason  
6 in the appropriate space on the errata  
7 sheet for any corrections that are made.  
8 After doing so, please sign  
9 the errata sheet and date it.  
10 You are signing same subject  
11 to the changes you have noted on the  
12 errata sheet, which will be attached to  
13 your deposition.  
14 It is imperative that you  
15 return the original errata sheet to the  
16 deposing attorney within thirty (30) days  
17 of receipt of the deposition transcript  
18 by you. If you fail to do so, the  
19 deposition transcript may be deemed to be  
20 accurate and may be used in court.  
21  
22  
23  
24

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1                   -----

2                   E R R A T A

3                   -----

4 PAGE LINE CHANGE/REASON

5 \_\_\_\_\_

6 \_\_\_\_\_

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1                   LAWYER'S NOTES

2 PAGE LINE

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1                   ACKNOWLEDGMENT OF DEPONENT

2

3                   I, \_\_\_\_\_, do

4 hereby certify that I have read the

5 foregoing pages, 1 - 263, and that the

6 same is a correct transcription of the

7 answers given by me to the questions

8 therein propounded, except for the

9 corrections or changes in form or

10 substance, if any, noted in the attached

11 Errata Sheet.

12

13 \_\_\_\_\_

14 MARIAN WOOD                   DATE

15

16

17 Subscribed and sworn

18 to before me this

19 \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

20

21 My commission expires: \_\_\_\_\_

22 \_\_\_\_\_

23 Notary Public

24